

EXHIBIT 5

PARKER ROSEN LLC

133 North First Avenue
 Minneapolis, MN 55401
 EIN 20-3550547

Invoice

Date	Invoice #
9/30/2007	1724

MATTER

1410-001

Mr. Al Hixon
 2225 Xerxes Avenue North
 Golden Valley, MN 55422

Attorney	Date	Description/Comments	Hours
Anthony G. Edwards - 2005	11/2/2005	Prepare correspondence to client.	0.30
Anthony G. Edwards - 2005	11/7/2005	Prepare rebuttal for Department of Human Rights.	4.50
Anthony G. Edwards - 2005	11/9/2005	Prepare rebuttal for Department of Human Rights.	1.80
Anthony G. Edwards - 2005	11/11/2005	Prepare rebuttal for Department of Human Rights.	1.30
Anthony G. Edwards - 2005	12/19/2005	Research prior police-misconduct suits against City of Golden Valley.	0.40
Anthony G. Edwards - 2006	1/4/2006	Telephone call to Department of Human Rights; review correspondence; develop strategy.	0.60
Anthony G. Edwards - 2006	1/9/2006	Prepare for client meeting; meet with client.	1.90
Andrew D. Parker - 2006	1/26/2006	Discussion with Department of Human Rights.	0.40
Andrew D. Parker - 2006	1/30/2006	Coordinate work with Department of Human Rights.	0.80
Anthony G. Edwards - 2006	2/2/2006	Prepare correspondence to Department of Human Rights.	0.30
Andrew D. Parker - 2006	2/2/2006	Coordinate mediation forms with client and transmit same.	0.50
Anthony G. Edwards - 2006	2/17/2006	Discussion with client.	0.40
Anthony G. Edwards - 2006	2/22/2006	Discussion with client.	0.30
Anthony G. Edwards - 2006	2/28/2006	Prepare Complaint; research laws on private rights of action for civil rights complaints.	1.20
Anthony G. Edwards - 2006	3/1/2006	Discussion with Attorney Hageman; discussion with Department of Human Rights; develop strategy; discussion with Al Hixon; research causes of action.	3.40
Andrew D. Parker - 2006	3/1/2006	Coordinate strategy regarding claims and discussion with client regarding same.	1.20
Anthony G. Edwards - 2006	3/3/2006	Research potential causes of action; research availability of qualified and official immunity as defenses; prepare Complaint.	4.60
Anthony G. Edwards - 2006	3/8/2006	Research state and federal civil-rights causes of action and immunity.	0.80
Anthony G. Edwards - 2006	3/9/2006	Research causes of action.	0.20
Anthony G. Edwards - 2006	3/10/2006	Research civil rights causes of action; research at Hennepin County Law Library.	1.80
Anthony G. Edwards - 2006	3/13/2006	Prepare Complaint.	2.90
Anthony G. Edwards - 2006	3/15/2006	Prepare Complaint.	0.80
Andrew D. Parker - 2006	3/23/2006	Review and revise Complaint.	1.40
Andrew D. Parker - 2006	3/24/2006	Consider revisions regarding Complaint; work on same.	1.40
Anthony G. Edwards - 2006	3/24/2006	Develop strategy; meeting with Andrew Parker to prepare Complaint.	2.90
Anthony G. Edwards - 2006	3/28/2006	Prepare Complaint.	2.40

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Andrew D. Parker - 2006	3/29/2006	Work on Complaint; develop revisions regarding same.	1.20
Anthony G. Edwards - 2006	3/29/2006	Prepare Complaint; develop strategy with Andrew Parker; discussion with Al Hixon.	0.60
Anthony G. Edwards - 2006	3/30/2006	Telephone conference with client on two occasions; prepare Complaint.	0.90
Andrew D. Parker - 2006	3/31/2006	Finalize Complaint and meet with Mr. Hixon regarding additional facts.	1.40
Anthony G. Edwards - 2006	3/31/2006	Meet with client; prepare Complaint; develop strategy; research service of process on police officers.	1.40
Anthony G. Edwards - 2006	4/10/2006	Telephone call to Elaine Hanson of Minnesota Department of Human Rights to notify the Department of Human Rights of the Hixon lawsuit.	0.20
Brenda J. Hanson - 2005	4/17/2006	Assist in filing Summons and Complaint; update and organize file and pleadings.	0.50
Brenda J. Hanson - 2005	4/19/2006	Assist in preparation of discovery to Defendants.	1.00
Barbara M. Livick - 2005	4/19/2006	Prepare proposed Interrogatories and Demand for Production of Documents directed to defendants.	2.20
Anthony G. Edwards - 2006	4/20/2006	Prepare Interrogatories and Requests for Documents to Defendants.	0.80
Barbara M. Livick - 2005	4/20/2006	Work on discovery requests directed to defendants.	1.60
Andrew D. Parker - 2006	4/24/2006	Review letters written by Mr. Hixon and other members of the community.	1.00
Anthony G. Edwards - 2006	4/24/2006	Prepare Interrogatories to Defendants.	0.50
Anthony G. Edwards - 2006	4/25/2006	Discussion with Al Hixon; review Answer and Notice of Removal.	0.50
Anthony G. Edwards - 2006	4/26/2006	Review pleadings; develop strategy for deposition of Brian Dahlberg.	0.40
Barbara M. Livick - 2005	4/26/2006	Prepare subpoena for deposition of Dahlberg.	0.40
Anthony G. Edwards - 2006	4/27/2006	Research address and telephone number of Oliver Lyle; telephone call to Melissa Cohen of MRC Public Relations; discussion on two occasions with Al Hixon regarding case status, and location of Oliver Lyle.	0.60
Anthony G. Edwards - 2006	4/28/2006	Discussion with Sue Webber regarding case status; research holdings in Szabla v. Brooklyn Park regarding municipal immunity.	0.40
Barbara M. Livick - 2005	4/28/2006	Research regarding federal court procedures; request check for subpoena fee.	1.20

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Anthony G. Edwards - 2006	5/1/2006	Develop strategy; prepare Interrogatories and Requests for Documents to Defendants; review federal rules regarding discovery sequence and procedures.	1.60
Anthony G. Edwards - 2006	5/1/2006	Discussion with Oliver Lyle regarding discrimination complaints against Golden Valley Police Department; develop discovery strategy; review Order for Pretrial Conference; telephone call to Attorney Tindal regarding Rule 26(f) conference.	1.90
Barbara M. Livick - 2005	5/1/2006	Prepare cover letter, affidavit of service and instructions for service on Dahlberg.	0.70
Anthony G. Edwards - 2006	5/2/2006	Review Federal Rules of Civil Procedure regarding discovery and timing of depositions; discussion with Attorney Tindal regarding discovery matters, develop strategy for discovery; review correspondence from Xiong Thao; discussion with Attorney Tindal regarding deposition of Brian Dahlberg.	0.90
Andrew D. Parker - 2006	5/2/2006	Discuss subpoenas and gathering of additional information.	0.40
Barbara M. Livick - 2005	5/2/2006	Conference regarding deposition and subpoena of Dahlberg; consider status of discovery.	0.60
Anthony G. Edwards - 2006	5/3/2006	Discussion with Attorney Tindal regarding deposition of Brian Dahlberg; develop strategy for deposition of Brian Dahlberg.	0.30
Anthony G. Edwards - 2006	5/5/2006	Discussion with Al Hixon.	0.40
Barbara M. Livick - 2005	5/5/2006	Prepare and serve Amended Notice of Taking Deposition of Dahlberg.	0.40
Anthony G. Edwards - 2006	5/8/2006	Review discovery materials; prepare Rule 26(f) Report; develop discovery strategy.	2.00
Anthony G. Edwards - 2006	5/9/2006	Prepare for Rule 26 conference; conduct Rule 26 conference with Attorney Tindal and Attorney Parker; prepare Rule 26(f) Report.	1.70
Andrew D. Parker - 2006	5/9/2006	Prepare for and handle 26(f) Report conference call; coordinate rewording of Report for opposing counsel.	1.00
Anthony G. Edwards - 2006	5/11/2006	Finalize Joint Rule 26(f) Report for filing; discussion with Oliver Lyle regarding materials related to his action against the City of Golden Valley; discussion with Al Hixon regarding knee surgery.	0.50
Anthony G. Edwards - 2006	5/12/2006	Develop discovery strategy.	0.20
Anthony G. Edwards - 2006	5/12/2006	Discussion with Al Hixon regarding status of case.	0.30

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Brenda J. Hanson - 2005	5/12/2006	Gather documents and coordinate file; assist in filing Rule 26(f) Report with District Court.	0.60
Barbara M. Livick - 2005	5/12/2006	Work on bates labeling project.	0.40
Anthony G. Edwards - 2006	5/15/2006	Review statement of Brian Dahlberg; prepare questions for deposition of Brian Dahlberg	1.40
Anthony G. Edwards - 2006	5/16/2006	Revise Interrogatories and Requests for Documents	0.40
Andrew D. Parker - 2006	5/16/2006	Analyze mediation/settlement report and revise same.	1.00
Anthony G. Edwards - 2006	5/17/2006	Arrange file for Bates labeling; research potential assertion of attorney-client privilege as to information provided by Brian Dahlberg; develop discovery strategy; prepare Second Set of Interrogatories.	2.50
Andrew D. Parker - 2006	5/17/2006	Prepare for and handle deposition of Mr. Dahlberg.	2.80
Barbara M. Livick - 2005	5/17/2006	Work on bates labeling project.	3.30
Anthony G. Edwards - 2006	5/18/2006	Review documents provided by Oliver Lyle.	0.70
Anthony G. Edwards - 2006	5/18/2006	Discussion with Al Hixon regarding case status and deposition of Brian Dahlberg; prepare pretrial conference letter to Judge Mayeron.	3.70
Barbara M. Livick - 2005	5/18/2006	Work on bates labeling project.	1.10
Anthony G. Edwards - 2006	5/19/2006	Prepare pretrial conference letter to Judge Mayeron; develop strategy with Andrew Parker regarding discovery and case management.	1.70
Andrew D. Parker - 2006	5/23/2006	Consider statement to Court regarding settlement and revise same.	0.80
Anthony G. Edwards - 2006	5/24/2006	Develop strategy for Settlement Letter to Judge Mayeron; prepare Settlement Letter to Judge Mayeron	2.90
Anthony G. Edwards - 2006	5/25/2006	Prepare Pretrial Conference letter to Judge Mayeron	0.40
Andrew D. Parker - 2006	5/25/2006	Work on correspondence to Magistrate Judge.	1.00
Anthony G. Edwards - 2006	5/31/2006	Call to Attorney Tindal regarding discovery matters.	0.20
Anthony G. Edwards - 2006	6/2/2006	Discussion with attorney Tindal regarding discovery issues; review article provided by client; prepare e-mail to client.	0.60
Andrew D. Parker - 2006	6/5/2006	Prepare for pre-trial conference.	1.00
Anthony G. Edwards - 2006	6/9/2006	Prepare Rule 26(a)(1) disclosures.	1.10
Anthony G. Edwards - 2006	6/12/2006	Prepare Rule 26(a)(1) disclosures; develop strategy for same; discussion with Attorney Tindal.	1.30
Anthony G. Edwards - 2006	6/28/2006	Discussion with Sheri Hixon regarding medical condition of Al Hixon.	0.20
Anthony G. Edwards - 2006	7/27/2006	Discussion with Attorney Tindal regarding pending discovery.	0.20

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Anthony G. Edwards - 2006	8/7/2006	Review discovery responses provided by defendants.	0.30
Anthony G. Edwards - 2006	8/9/2006	Review defense discovery responses; prepare correspondence to Attorney Tindal regarding same.	2.10
Anthony G. Edwards - 2006	8/11/2006	Discussion with client regarding case status.	0.50
Anthony G. Edwards - 2006	8/14/2006	Develop strategy regarding medical evidence; call to client regarding same.	0.40
Barbara M. Livick - 2005	8/14/2006	Consider authorizations and investigation.	0.20
Andrew D. Parker - 2006	8/15/2006	Review documents and begin to organize same.	2.80
Barbara M. Livick - 2005	8/15/2006	Prepare authorizations for client's signature and transmit them to him for execution.	0.40
Anthony G. Edwards - 2006	9/15/2006	Discussion with client regarding medical authorizations and personal status.	0.20
Barbara M. Livick - 2005	9/22/2006	Request client's medical records by mail; conference on strategy and handling.	0.90
Andrew D. Parker - 2006	9/22/2006	Review background documents.	1.00
Anthony G. Edwards - 2006	9/25/2006	Develop strategy regarding evidentiary issues; discussion with client regarding medical treatment.	1.10
Barbara M. Livick - 2005	9/25/2006	Review TRIA records and note items of follow-up.	0.40
Andrew D. Parker - 2006	9/25/2006	Meet with litigation team regarding discovery.	1.00
Barbara M. Livick - 2005	9/26/2006	Review dispatch logs and consider depositions of dispatchers.	0.60
Anthony G. Edwards - 2006	9/27/2006	Develop strategy regarding potential Monel claim with Attorney Roback; prepare memo regarding disputed discovery.	1.20
Barbara M. Livick - 2005	9/27/2006	Prepare correspondence to defendants' counsel re inadequacy of responses; organize medical records chronologically by provider.	3.30
Anthony G. Edwards - 2006	9/28/2006	Prepare memo regarding disputed discovery; prepare case chronology	2.90
Barbara M. Livick - 2005	9/28/2006	Prepare Medical Records Summary; recommend follow-up; request additional authorizations from client.	3.20
Anthony G. Edwards - 2006	10/3/2006	Prepare memo to Andrew Parker regarding disputed discovery items; review correspondence from Attorney Tindal enclosing discovery requests.	0.90
Barbara M. Livick - 2005	10/4/2006	Follow-up on record requests and file organization.	0.60
Brenda J. Hanson - 2005	10/5/2006	Set up discovery requests to be answered.	0.20
Barbara M. Livick - 2005	10/5/2006	Meet regarding case preparation; prepare "to do" list.	1.50

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Anthony G. Edwards - 2006	10/6/2006	Develop strategy regarding discovery, witnesses, and case management.	1.10
Andrew D. Parker - 2006	10/6/2006	Develop list of additional items to complete and strategy.	1.20
Barbara M. Livick - 2005	10/11/2006	Work on medical investigation.	0.60
Andrew D. Parker - 2006	10/11/2006	Review discovery responses.	1.00
Anthony G. Edwards - 2006	10/12/2006	Prepare memorandum to Attorney Tindal regarding same; prepare memorandum to Golden Valley City Manager requesting information under Minnesota Government Data Practices Act.	1.90
Barbara M. Livick - 2005	10/12/2006	Work on medical investigation.	0.40
Anthony G. Edwards - 2006	10/16/2006	Discussion with client regarding case status; develop strategy for discovery.	0.50
Barbara M. Livick - 2005	10/24/2006	Schedule, prepare and serve notices of depositions of three police dispatchers; organize file and prepare file index.	3.20
Anthony G. Edwards - 2006	10/25/2006	Execute notices of deposition for 911 operators; prepare correspondence to Attorney Iverson enclosing same.	0.30
Brenda J. Hanson - 2005	10/27/2006	Gather documents and coordinate file.	0.50
Anthony G. Edwards - 2006	11/7/2006	Call to Attorney Tindal regarding upcoming depositions; discussion with Attorney Tindal regarding same.	0.30
Barbara M. Livick - 2005	11/8/2006	Work on discovery responses; follow-up with client to schedule meeting on damages issues.	3.50
Anthony G. Edwards - 2006	11/9/2006	Execute subpoenas and deposition notices for 911 operators; prepare correspondence enclosing same.	0.30
Barbara M. Livick - 2005	11/9/2006	Prepare Amended Notice of Taking Deposition, Subpoenas and cover letter to St. Louis Park PD dispatchers; arrange for service; work on discovery response and obtaining client's medical expenses; meet with client re same.	2.60
Barbara M. Livick - 2005	11/10/2006	Discussion with Jill Hanson re availability for deposition.	0.20
Anthony G. Edwards - 2006	11/13/2006	Discussion with client regarding wage loss claim.	0.40
Barbara M. Livick - 2005	11/13/2006	Work on service on subpoenas; work on scheduling meeting with client to address discovery responses; research regarding prosecution of criminal charges against Scott Herd.	2.20
Barbara M. Livick - 2005	11/14/2006	Work on changing location of dispatcher depositions.	0.40
Anthony G. Edwards - 2006	11/15/2006	Discussion with client regarding discovery; meeting with client regarding case status.	1.00
Barbara M. Livick - 2005	11/15/2006	Work on arrangements for depositions; meet with client regarding discovery an related issues.	2.20

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Anthony G. Edwards - 2006	11/16/2006	Discussion with Attorney Zipf regarding scheduling of depositions of 911 operators; develop strategy for same.	0.60
Barbara M. Livick - 2005	11/16/2006	Work investigation and documentation of damages; meet with client to complete discovery responses.	1.60
Barbara M. Livick - 2005	11/17/2006	Work on collecting documentation of damages.	0.90
Barbara M. Livick - 2005	11/20/2006	Work on file organization.	0.90
Barbara M. Livick - 2005	11/21/2006	Prepare and serve Second Amended Notice of Taking Deposition of St. Louis Park Police Department dispatchers.	0.80
Anthony G. Edwards - 2006	11/22/2006	Three discussions with Attorney Tindal regarding outstanding discovery and deposition of Al Hixon; develop strategy regarding same; discussion with Al Hixon regarding same; prepare e-mail correspondence to Attorney Tindal and Attorney Zipf regarding depositions of 911 operators.	1.60
Anthony G. Edwards - 2006	11/27/2006	Prepare responses to defense discovery requests; prepare questions for depositions of Andy Willenbring, Angel Jensen and Jill Hanson.	2.70
Barbara M. Livick - 2005	11/27/2006	Prepare documents for use at dispatcher depositions; work on investigation.	2.20
Anthony G. Edwards - 2006	11/28/2006	Conduct depositions of Andy Willenbring, Angel Jensen, and Jill Hanson; prepare e-mail correspondence to Attorney Tindal regarding discovery; discussion with client regarding case status.	5.50
Anthony G. Edwards - 2006	11/29/2006	Develop strategy regarding IMEs of Al Hixon; two discussions with Al Hixon regarding same; research law on IMEs in inconvenient locations; discussion with Attorney Tindal regarding same; discussion with Attorney Tindal regarding St Louis Park 911 transcripts.	2.00
Barbara M. Livick - 2005	11/29/2006	Meet with client obtain income tax returns and executed authorizations; discussions regarding IMEs; transmit authorizations to Defendants' attorney; discussion with client re outstanding medical bills.	1.50
Barbara M. Livick - 2005	11/29/2006	Discussion with defendants' attorneys regarding IMEs.	0.60
Anthony G. Edwards - 2006	11/30/2006	Prepare Minnesota Government Data Practices Act request to City of St Louis Park; call to City of St Louis Park regarding same.	0.50
Anthony G. Edwards - 2006	12/1/2006	Meeting with client regarding case status and depositions.	2.50

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Barbara M. Livick - 2005	12/1/2006	Meet with client to discuss independent medical examinations and other issues.	0.90
Anthony G. Edwards - 2006	12/4/2006	Discussion with Attorney Zipf regarding Data Practices Act request to City of St. Louis Park; develop strategy.	0.40
Daniel N. Rosen - 2006	12/4/2006	Review documents and develop strategy.	3.00
Barbara M. Livick - 2005	12/4/2006	Work on updating and organizing file; update file index.	1.20
Barbara M. Livick - 2005	12/5/2006	Coordinate deposition schedule and work on investigation.	0.90
Barbara M. Livick - 2005	12/6/2006	Coordinate client's attendance at IMEs's.	0.80
Andrew D. Parker - 2006	12/6/2006	Discussion with Ms. Hixon regarding status.	0.80
Barbara M. Livick - 2005	12/7/2006	Conference with attorney for Defendants regarding IME issues; work on documentation of damages.	1.10
Brenda J. Hanson - 2005	12/8/2006	Gather documents and coordinate file.	0.50
Barbara M. Livick - 2005	12/12/2006	Update medical records notebook and summary; review and analyze client's income tax returns and note possible issues.	2.20
Anthony G. Edwards - 2006	12/13/2006	Meeting with client to prepare for deposition.	1.60
Brenda J. Hanson - 2005	12/13/2006	Coordinate bates labels.	0.20
Andrew D. Parker - 2006	12/13/2006	Meet with Mr. Hixon in preparation for his deposition.	1.20
Barbara M. Livick - 2005	12/13/2006	Discussion with client regarding IMEs; update and organize file in preparation for meeting with client to prepare for deposition; consider issues relating to income tax returns.	1.20
Barbara M. Livick - 2005	12/14/2006	Identify additional documents to be produced and Bates Label documents; advise Defendant's counsel re Dr. Nelson's no-show at IME.	1.10
Barbara M. Livick - 2005	12/15/2006	Coordinate with defense counsel re rescheduling orthopedic IME; organize documents for production to opposing counsel.	0.90
Anthony G. Edwards - 2006	12/18/2006	Meeting with client regarding deposition.	0.30
Andrew D. Parker - 2006	12/18/2006	Prepare for and handle deposition of Al Hixon.	3.80
Anthony G. Edwards - 2006	12/21/2006	Discussion with Ron Feist regarding meeting.	0.20
Barbara M. Livick - 2005	12/21/2006	Discussion with client regarding orthopedic IME.	0.20
Barbara M. Livick - 2005	12/21/2006	Discussion with client regarding recent medical treatment.	0.20
Barbara M. Livick - 2005	12/21/2006	Work on scheduling depositions of Golden Valley Police Officers.	0.90
Anthony G. Edwards - 2006	12/22/2006	Develop strategy for discovery and witness depositions.	0.40
Barbara M. Livick - 2005	12/22/2006	Review client's deposition testimony and follow-up with health care providers to assure complete records.	1.10
Anthony G. Edwards - 2006	12/27/2006	Visit Sinclair service station, Golden Valley.	0.60
Andrew D. Parker - 2006	12/27/2006	Visit Sinclair station and review site.	1.00

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Anthony G. Edwards - 2007	1/2/2007	Review and catalog photographs from Sinclair station.	0.20
Brenda J. Hanson - 2007	1/2/2007	Gather documents and coordinate file.	0.30
Barbara M. Livick - 2007	1/4/2007	Follow-up regarding depositions of police officers; coordinate scheduling.	0.60
Anthony G. Edwards - 2007	1/5/2007	Review expert disclosures by defendants; prepare third set of interrogatories and second set of document requests to plaintiff; discussion with Ron Feist regarding meeting.	2.10
Brenda J. Hanson - 2007	1/5/2007	Assist in service of Interrogatories (Set III)	0.20
Barbara M. Livick - 2007	1/5/2007	Work on scheduling depositions of Golden Valley police officers; consider expert disclosure and witness issues; follow-up with client regarding current medical care providers; locate contact information for Bill Micklus.	1.30
Andrew D. Parker - 2007	1/5/2007	Review additional discovery served by Defendant; consider legal argument and research related to a potential motion to compel.	1.00
Anthony G. Edwards - 2007	1/8/2007	Discussion with client regarding case status and medical examinations; discussion with Attorney Tindal regarding same.	0.40
Brenda J. Hanson - 2007	1/8/2007	Gather documents and coordinate file.	0.20
Barbara M. Livick - 2007	1/8/2007	Prepare authorizations for client's signature; follow-up on scheduling depositions.	0.50
Anthony G. Edwards - 2007	1/9/2007	Visit Sinclair station and meet with Ron Feist and Dave Greenwood	1.20
Barbara M. Livick - 2007	1/9/2007	Follow-up with client regarding authorizations and tax returns; prepare notices of depositions of Officers Hernandez, Arons, Kuhnly, McCarville and Smith; serve same; inquire regarding availability for Russell Hanes for deposition.	1.20
Anthony G. Edwards - 2007	1/10/2007	Discussion with Attorney Tindal regarding IME records; discussion with client regarding case status.	0.20
Barbara M. Livick - 2007	1/10/2007	Arrange for court reporter for depositions; request Behavioral Health records; follow-up with client regarding military records.	1.20
Barbara M. Livick - 2007	1/11/2007	Request military records by mail.	0.40
Barbara M. Livick - 2007	1/12/2007	Work on locating use of force expert; prepare correspondence and compile documents to be provided to Tony Bouza; confer with client regarding expert expense; arrange for delivery of documents to Bouza.	2.30

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Barbara M. Livick - 2007	1/15/2007	Work on preparing documents for meeting with Tony Bouza.	0.40
Anthony G. Edwards - 2007	1/16/2007	Prepare case chronology; prepare deposition outlines.	1.40
Barbara M. Livick - 2007	1/17/2007	Work on investigation; compile additional documents for review by Bouza.	0.90
Anthony G. Edwards - 2007	1/18/2007	Meeting with Tony Bouza regarding potential service as an expert witness; prepare correspondence to Tony Bouza regarding same; prepare e-mail correspondence to Attorney Tindal regarding discovery.	2.50
Barbara M. Livick - 2007	1/18/2007	Compile more documents for review by Bouza; organize documents for police officer depositions.	3.40
Andrew D. Parker - 2007	1/18/2007	Meet with expert Tony Bouza regarding background; develop strategy regarding discovery motion; consider use of expert.	2.80
Anthony G. Edwards - 2007	1/19/2007	Prepare deposition questions; review documents from Golden Valley; two discussions with Attorney Tindal regarding discovery and deposition of Dennis Arons.	4.10
Barbara M. Livick - 2007	1/19/2007	Prepare documents for depositions of police officers.	3.20
Andrew D. Parker - 2007	1/19/2007	Discussion with Mr. Bouza regarding background and coordinate discovery and expert issues.	1.00
Anthony G. Edwards - 2007	1/22/2007	Develop strategy regarding depositions of defendant officers; prepare e-mail correspondence to Attorney Tindal regarding same.	0.40
Barbara M. Livick - 2007	1/22/2007	Prepare correspondence to Tony Bouza enclosing additional records; discussion with Bouza and arrange to pick up draft report; coordinate deposition schedule.	0.90
Andrew D. Parker - 2007	1/22/2007	Begin review of deposition outline regarding Mario Hernandez and review documents related to same; prepare outline of case concept and specific key facts.	3.50
Anthony G. Edwards - 2007	1/23/2007	Prepare deposition questions; discuss expert report with Tony Bouza.	3.50
Brenda J. Hanson - 2007	1/23/2007	Assist in preparation of deposition exhibits.	0.20
Barbara M. Livick - 2007	1/23/2007	Work on preparation for police officer depositions.	2.20
Andrew D. Parker - 2007	1/23/2007	Review expert report; prepare for Hernandez deposition.	2.80
Daniel N. Rosen - 2007	1/24/2007	Develop strategy with Andrew Parker regarding punitive damages claim.	0.30
Anthony G. Edwards - 2007	1/24/2007	Research potential criminal charges against Al Hixon; develop strategy; research legality of warrantless arrest for misdemeanors.	2.50

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Barbara M. Livick - 2007	1/24/2007	Legal research; prepare correspondence to defendants' attorney with supplemental discovery responses; follow-up with client regarding tax returns and related matters.	3.40
Andrew D. Parker - 2007	1/24/2007	Continue preparation for Hernandez deposition and review deposition exhibits.	3.80
Anthony G. Edwards - 2007	1/25/2007	Develop strategy regarding depositions.	0.80
Daniel N. Rosen - 2007	1/25/2007	Develop case strategy.	0.30
Brenda J. Hanson - 2007	1/25/2007	Gather documents and coordinate file.	0.20
Barbara M. Livick - 2007	1/25/2007	Request medical records by mail from TRIA, BHSI, and PNMC, update list of medical expenses; research regarding standards on police use of pepper spray; review Bouza report.	3.90
Andrew D. Parker - 2007	1/25/2007	Prepare for and handle deposition of Mario Hernandez.	8.50
Anthony G. Edwards - 2007	1/29/2007	Prepare outline for deposition of David Kuhnly; discussion with Attorney Tindal regarding discovery.	0.40
Barbara M. Livick - 2007	1/29/2007	Work on arrangements for depositions and investigation.	0.90
Anthony G. Edwards - 2007	1/30/2007	Review discovery issues and develop discovery strategy; prepare for deposition of David Kuhnly; conduct deposition of David Kuhnly.	5.50
Barbara M. Livick - 2007	1/30/2007	Work on scheduling depositions of Golden Valley Mayor and Chief of Police; consider location of depositions.	0.90
Andrew D. Parker - 2007	1/30/2007	Review deposition exhibits and prepare for McCarville deposition.	2.40
Daniel N. Rosen - 2007	1/30/2007	Develop strategy.	0.50
Anthony G. Edwards - 2007	1/31/2007	Discussion with client; develop strategy; prepare Third Set of Document Requests and correspondence enclosing same; prepare correspondence to Attorney Tindal regarding discovery issues.	1.60
Barbara M. Livick - 2007	1/31/2007	Work on scheduling depositions; prepare Amended Notice of Taking Arons' deposition; Notice of Taking Deposition of Russell Hanes, Linda Loomis and Roger Johnson.	1.10
Andrew D. Parker - 2007	1/31/2007	Prepare for and handle McCarville deposition; coordinate strategy regarding additional documents and coordination of depositions; consider Motion to Compel Discovery.	5.50
Anthony G. Edwards - 2007	2/1/2007	Develop strategy regarding discovery; prepare memorandum regarding same.	0.40
Barbara M. Livick - 2007	2/1/2007	Serve Tony Bouza's expert rebuttal report; schedule motion to compel discovery.	1.10

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 2225 Xerxes Avenue North
 Golden Valley, MN 55422

Attorney	Date	Description/Comments	Hours
Andrew D. Parker - 2007	2/1/2007	Prepare for hearing regarding motion to compel discovery; coordinate background information related to same.	0.50
Anthony G. Edwards - 2007	2/2/2007	Develop strategy regarding depositions; prepare e-mail correspondence to Attorney Tindal regarding discovery issues; two discussions with Attorney Tindal regarding same.	1.10
Barbara M. Livick - 2007	2/2/2007	Prepare and service Notice of Taking Deposition of Arons and Hanes; work on scheduling other depositions.	1.10
Andrew D. Parker - 2007	2/2/2007	Prepare for and handle hearing regarding motion to compel discovery.	1.50
Anthony G. Edwards - 2007	2/5/2007	Prepare 30(b)(6) depo notice and correspondence enclosing same; review examination report from Dr. Johnston; develop strategy regarding discovery and claim for punitive damages; research process for amending complaint to claim punitive damages; discussion with client regarding discovery; prepare motion papers regarding claim for punitive damages; prepare motion papers regarding motion to compel.	2.60
Barbara M. Livick - 2007	2/5/2007	Work on scheduling telephone conference and hearing on motion to compel discovery responses; work on scheduling Sheri Hixon's deposition; prepare TO DO list; contact Dr. Boyd and BHSI.	3.30
Andrew D. Parker - 2007	2/5/2007	Prepare outline of tasks including discovery motion, additional depositions, expert information, and damages.	1.50
Anthony G. Edwards - 2007	2/6/2007	Prepare motion papers for motion to amend pleadings to claim punitive damages; discussion with Sheri Hixon regarding deposition.	2.60
Barbara M. Livick - 2007	2/6/2007	Continue work on scheduling motion hearing and telephone conference; begin preparation of trial notebook.	2.10
Barbara M. Livick - 2007	2/7/2007	Review records received from BHSI and note referrals; consider standards for police investigations, reports, and use of pepper spray.	2.20
Anthony G. Edwards - 2007	2/8/2007	Develop strategy regarding discovery; prepare e-mail correspondence to Attorney Tindal regarding same.	0.20
Barbara M. Livick - 2007	2/8/2007	Obtain portions of GVPD policy manual for use at depositions; coordinate scheduling with Defendants' attorney; review records received from client.	0.90
Barbara M. Livick - 2007	2/8/2007	Prepare and serve Notice of 30(b)(6) Deposition, Notice of Taking Deposition of Loomis and Johnson.	0.90

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Andrew D. Parker - 2007	2/8/2007	Prepare for and handle deposition of Officer Craig Smith.	6.50
Anthony G. Edwards - 2007	2/9/2007	Develop strategy regarding depositions and discovery.	0.20
Nancy V. Mate - 2007	2/9/2007	Research responses to discovery disputes; prepare memorandum.	8.30
Anthony G. Edwards - 2007	2/9/2007	Develop strategy regarding discovery and prepare memo regarding same.	0.30
Andrew D. Parker - 2007	2/9/2007	Coordinate additional discovery and consider arguments related to dispute issues.	0.50
Anthony G. Edwards - 2007	2/12/2007	Conference call with Judge Mayeron regarding discovery; two discussions with Attorney Tindal regarding same; prepare e-mail correspondence to Attorney Tindal regarding same.	1.00
Andrew D. Parker - 2007	2/12/2007	Prepare for and handle conference call with judge regarding discovery disputes.	0.70
Anthony G. Edwards - 2007	2/13/2007	Review deposition transcript of Al Hixon; prepare documents related to Motion to Amend Complaint to assert punitive damages; discussion with Ginny Jacobs regarding psychological treatment of Al Hixon; conduct conference call with Judge Mayeron regarding discovery.	5.00
Barbara M. Livick - 2007	2/13/2007	Consider strategy and deadlines; contact client regarding need to provide documentation of business losses and other damages; work on file organization.	2.80
Karen V Wendt - 2007	2/13/2007	Retain court reporter for deposition.	0.20
Andrew D. Parker - 2007	2/13/2007	Prepare for and handle discovery conference with Judge Mayeron.	1.80
Anthony G. Edwards - 2007	2/14/2007	Prepare deposition outlines; develop strategy.	4.80
Barbara M. Livick - 2007	2/14/2007	Telephone discussion with psychologist Ginny Jacobs; transmit psych testing data to client; prepare and serve Notice of Taking Deposition of Kelly Blad; prepare and serve Amended 30(b)(6) Deposition Notice.	2.80
Karen V Wendt - 2007	2/14/2007	Prepare Golden Valley Police Department Policy Manual in notebook.	0.30
Andrew D. Parker - 2007	2/14/2007	Review outstanding discovery issues and outline incomplete discovery.	1.10

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Anthony G. Edwards - 2007	2/16/2007	Research available damages and prepare memo regarding same; review draft protective order papers provided by defense and amend same; develop strategy regarding discovery and prepare correspondence to Attorney Tindal regarding same; prepare correspondence to Judge Mayeron regarding case scheduling.	4.40
Barbara M. Livick - 2007	2/16/2007	Meet with Sheri Hixon regarding financial data; cancel hearing on motion to compel discovery responses; work on obtaining aerial photograph of Sinclair station and complete GVPD Field Training Manual.	3.20
Andrew D. Parker - 2007	2/16/2007	Meet with Mrs. Hixon regarding background facts; review and revise Protective Order.	1.60
Anthony G. Edwards - 2007	2/19/2007	Develop strategy for depositions; prepare motion papers regarding motion to amend complaint to assert punitive damages.	2.10
Barbara M. Livick - 2007	2/19/2007	Update Medical Record Summary and itemization of medical expenses; follow-up with various providers regarding same; correspondence to attorney Tindal regarding supplemental discovery responses; request copy of Cris Johnston report; prepare and serve Amended deposition notices.	3.10
Andrew D. Parker - 2007	2/19/2007	Prepare for and handle deposition of Officer Dennis Arons.	6.80
Anthony G. Edwards - 2007	2/20/2007	Prepare correspondence to Attorney Tindal regarding discovery; prepare correspondence to Attorney Zipf regarding Loren Kramer; research contact information on Jacqueline Scott.	1.20
Barbara M. Livick - 2007	2/20/2007	Contact client and research Jacqueline Scott; discussion with clients regarding photographs and medical treatment; work on scheduling hearing on motion for punitive damages.	2.60
Brenda J. Hanson - 2007	2/20/2007	Gather documents and coordinate file.	1.00
Andrew D. Parker - 2007	2/20/2007	Prepare for and handle depositions of Mayor Mary Loomis, Sergeant Kelly Blad, and Deputy Chief Roger Johnson.	7.50

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Anthony G. Edwards - 2007	2/21/2007	Develop strategy; prepare paperwork regarding stipulation to amend scheduling order; prepare paperwork regarding amendment of scheduling order; discussion with US Attorney's office regarding disposition of Scot Herd criminal case; prepare deposition questions for Russell Hanes; prepare Data Practices Act request to Department of Human Rights; research law regarding availability of punitive damages and prepare motions paperwork regarding same.	4.80
Barbara M. Livick - 2007	2/21/2007	Update and organize file materials.	0.90
Barbara M. Livick - 2007	2/21/2007	Prepare various authorizations for client's signature; work on notice of motion and motion to amend complaint to include punitive damages; prepare letters and Affidavit of Service.	1.40
Karen V Wendt - 2007	2/21/2007	Prepare medical record charts.	0.30
Brenda J. Hanson - 2007	2/21/2007	Assist in filing Stipulation for Protection of Certain Data and Proposed Order.	0.30
Anthony G. Edwards - 2007	2/22/2007	Meeting with Al Hixon regarding criminal charges; review documents regarding same; litigate court hearing regarding same; prepare motion paperwork regarding motion to amend complaint to assert punitive damages.	3.00
Barbara M. Livick - 2007	2/22/2007	Work on supplemental response to Defendant's document requests; follow-up on medical records and bill requests; submit request and obtain documents from Minnesota Department of Human Rights re complaints against Golden Valley.	2.30
Andrew D. Parker - 2007	2/22/2007	Prepare for and handle deposition of Officer Russell Hanes; analyze documents related to same.	3.00
Anthony G. Edwards - 2007	2/23/2007	Prepare papers regarding motion to claim punitive damages; conduct research for same.	8.00
Barbara M. Livick - 2007	2/23/2007	Review records received from Department of Human Rights; discussion with Bill Micklus regarding information on use of pepper spray; work on file organization and supplemental responses.	2.10
Andrew D. Parker - 2007	2/23/2007	Analyze punitive damages issue and outline related to same.	1.00
Anthony G. Edwards - 2007	2/24/2007	Prepare Memorandum in Support of Motion to Claim Punitive Damages; organize exhibits related to same.	4.90

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Anthony G. Edwards - 2007	2/26/2007	Call Ron Feist three times regarding recorded statement; call to Loren Kramer regarding work for City of St Louis Park; call to Attorney Tindal regarding discovery.	0.40
Barbara M. Livick - 2007	2/26/2007	Meet with Bill Micklus and review documents regarding pepper spray; prepare proposed Demand for Documents and Interrogatories regarding same; discussion with client regarding medical treatment and authorizations, tax returns and other items of damages; transmit information regarding pepper spray to Tony Bouza.	3.30
Brenda J. Hanson - 2007	2/26/2007	Coordinate filing and service of Motion to Amend Pleadings to Claim Punitive Damages.	0.30
Andrew D. Parker - 2007	2/26/2007	Prepare for and handle defense of deposition of Mrs. Hixon.	2.80
Anthony G. Edwards - 2007	2/27/2007	Discussion with Attorney Tindal regarding discovery; develop strategy regarding same; prepare discovery responses and correspondence enclosing same.	1.20
Barbara M. Livick - 2007	2/27/2007	Prepare supplemental response regarding discovery and damages; work on file organization; follow-up with client on various issues.	2.80
Brenda J. Hanson - 2007	2/27/2007	Service and filing of Stipulation to Amend Pretrial Scheduling Order.	0.30
Barbara M. Livick - 2007	2/28/2007	Conference call with Dr. Boyd; analyze knee injury issue; discussion with client regarding entire medical history; discussion with client regarding gas station witness cooperation and tax returns.	3.80
Andrew D. Parker - 2007	2/28/2007	Discussion with Dr. Boyd regarding orthopedic surgery; review discovery responses to Defendant and finalize same; review Defendant's discovery.	1.20
Nancy V. Mate - 2007	3/1/2007	Research issue of refusing order of police officer.	6.50
Andrew D. Parker - 2007	3/1/2007	Work on punitive damage motion papers; review medical information; discussion with Dr. Boyd regarding injury; finalize discovery.	2.10
Barbara M. Livick - 2007	3/1/2007	Work on analysis of knee injury claim; review Defendants' Supplemental Rule 26 Disclosures; begin preparation for Plaintiff's Supplemental Rule 26 Disclosures.	5.20
Nancy V. Mate - 2007	3/2/2007	Research issue of refusing order of police.	5.00
Andrew D. Parker - 2007	3/2/2007	Work on punitive damage papers.	5.20

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Barbara M. Livick - 2007	3/2/2007	Check deadline for non-dispositive motions; assist with Memorandum in Support of Motion for Punitive Damages.	2.20
Brenda J. Hanson - 2007	3/2/2007	Coordinate with court reporter to receive deposition transcript.	0.20
Barbara M. Livick - 2007	3/3/2007	Work on Affidavit in Support of Motion.	1.20
Andrew D. Parker - 2007	3/4/2007	Work on punitive damage papers and revise exhibits and organizational structure.	2.50
Nancy V. Mate - 2007	3/5/2007	Research refusing order by police officer	5.50
Andrew D. Parker - 2007	3/5/2007	Work on punitive damage papers.	2.60
Barbara M. Livick - 2007	3/5/2007	Assist with Motion to Amend Complaint to include Punitive Damages; conference with client regarding chiropractic treatment and tax returns.	5.50
Brenda J. Hanson - 2007	3/5/2007	Assist in service and filing of Memorandum of Law in Support of Motion to Amend Pleadings to Claim Punitive Damages.	0.80
Anthony G. Edwards - 2007	3/6/2007	Develop strategy regarding discovery; review Defendants' discovery responses; discussion with client regarding Ron Feist.	0.90
Andrew D. Parker - 2007	3/6/2007	Review discovery responses and outstanding issues regarding motion hearing.	1.20
Barbara M. Livick - 2007	3/6/2007	Meet with client regarding income tax returns.	0.30
Barbara M. Livick - 2007	3/7/2007	Work on locating graphic artist to prepare trial exhibits.	0.40
Andrew D. Parker - 2007	3/8/2007	Coordinate 26(a) supplementation.	0.40
Barbara M. Livick - 2007	3/8/2007	Work on Supplemental Rule 26 Disclosures.	4.40
Anthony G. Edwards - 2007	3/9/2007	Discussion with client regarding case status; review and amend supplemental Rule 26 disclosures.	0.70
Barbara M. Livick - 2007	3/9/2007	Revise and serve Rule 26 Supplemental Responses; prepare correspondence to attorney Tindal inventorying documents produced; follow-up with client regarding addresses of witnesses; work on file organization.	2.40
Brenda J. Hanson - 2007	3/9/2007	Coordinate file; correspondence to Sheri Hixon enclosing her deposition transcript.	1.00
Anthony G. Edwards - 2007	3/12/2007	Review defense brief opposing motion to amend complaint to assert punitive damages; research law for reply brief.	1.20
Anthony G. Edwards - 2007	3/13/2007	Research law on punitive damages for reply brief; prepare reply brief; prepare e-mail correspondence to Attorney Tindal regarding same.	4.30

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Barbara M. Livick - 2007	3/13/2007	Work on file organization.	2.60
Anthony G. Edwards - 2007	3/14/2007	Prepare Reply brief on motion to amend complaint to assert punitive damages.	4.30
Andrew D. Parker - 2007	3/14/2007	Revise punitive damage papers and reply brief; discussion with Attorney Edwards regarding same.	2.50
Barbara M. Livick - 2007	3/14/2007	Work on discovery.	0.30
Anthony G. Edwards - 2007	3/15/2007	Prepare Reply Brief and Affidavit of Anthony G. Edwards	0.70
Barbara M. Livick - 2007	3/15/2007	Work on responding to Defendants' supplemental discovery and taking statement of Ron Feist.	0.90
Brenda J. Hanson - 2007	3/15/2007	Assist in service and filing of Reply Memorandum in Support of Motion to Amend Pleadings to Claim Punitive Damages.	0.50
Anthony G. Edwards - 2007	3/16/2007	Two discussions with client regarding status of discovery documents.	0.30
Anthony G. Edwards - 2007	3/17/2007	Prepare for motion hearing on Motion to Amend Complaint to Assert Punitive Damages.	1.80
Anthony G. Edwards - 2007	3/19/2007	Prepare for motion hearing on Motion to Amend Complaint to Assert Punitive Damages; litigate same; discussion with client regarding same; develop strategy regarding settlement demand; review Court's Order and Memorandum; prepare Amended Complaint.	5.60
Barbara M. Livick - 2007	3/19/2007	Prepare and serve Notice of Taking Deposition of Bechtold; work on response to attorney Tindal's discovery demands; review and analyze income tax records.	2.30
Anthony G. Edwards - 2007	3/20/2007	Prepare correspondence to Attorney Tindal regarding discovery; discussion with Attorneys Keith Johnson and Jeffrey Hassan regarding past suits against GVPD; develop strategy regarding discovery and discussion with client regarding same.	2.30
Barbara M. Livick - 2007	3/20/2007	Work on response to Defendants' supplemental discovery requests; bates label documents; compile documents for production; consider Defendants' supplemental responses to Plaintiff's discovery requests.	5.50
Anthony G. Edwards - 2007	3/21/2007	Discussion with client regarding tax returns; prepare Amended Complaint.	0.90
Barbara M. Livick - 2007	3/21/2007	Meet with client; review amended income tax returns and 2005 financial statements.	0.90

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Barbara M. Livick - 2007	3/22/2007	Work on updating and organizing file; consider strategy; meet with Patty Duffy re demonstrative exhibits.	2.20
Brenda J. Hanson - 2007	3/23/2007	Coordinate filing of Amended Complaint.	0.30
Barbara M. Livick - 2007	3/23/2007	Meet with client; review and analyze financial records; schedule meeting with client's accountant.	2.20
Andrew D. Parker - 2007	3/26/2007	Meet with Ms. Duffy regarding diagram; meet with Ms. Hixon regarding tax issues.	1.80
Barbara M. Livick - 2007	3/26/2007	Begin preparation of settlement demand letter.	2.30
Barbara M. Livick - 2007	3/27/2007	Review correspondence from MN Department of Revenue; discussion with Patty Duffy regarding diagram of scene.	1.30
Anthony G. Edwards - 2007	3/29/2007	Two discussions with Attorney Tindal regarding discovery; prepare settlement demand letter.	1.80
Andrew D. Parker - 2007	3/29/2007	Coordinate damages demand and review status of discovery.	0.60
Anthony G. Edwards - 2007	3/30/2007	Prepare settlement demand letter.	0.90
Barbara M. Livick - 2007	3/30/2007	Work on settlement demand letter.	2.50
Barbara M. Livick - 2007	4/3/2007	Work on demand letter, calculate costs and attorneys fees; research regarding comparable verdicts.	2.80
Andrew D. Parker - 2007	4/3/2007	Work on demand letter.	1.80
Anthony G. Edwards - 2007	4/4/2007	Prepare correspondence to Court regarding discovery dispute; discussion with Attorney Tindal regarding same; discussion with client regarding same and settlement demand.	1.30
Barbara M. Livick - 2007	4/4/2007	Work on demand letter; return original tax and business documents to client.	2.20
Barbara M. Livick - 2007	4/4/2007	Research re ownership of Sinclair gas station and layout of premises.	0.60
Andrew D. Parker - 2007	4/4/2007	Work on demand letter and coordinate preparation for response to discovery motion.	1.50
Anthony G. Edwards - 2007	4/5/2007	Prepare for conference call with Judge Mayeron; conduct same.	0.60
Andrew D. Parker - 2007	4/5/2007	Discussion with client and coordinate settlement demand.	0.40
Nancy V. Mate - 2007	4/6/2007	Consider legal options; review qualified immunity filings.	2.50
Barbara M. Livick - 2007	4/6/2007	Research comparable settlements and verdicts; discussion with Sheri Hixon regarding impact of incident on family life.	3.20
Andrew D. Parker - 2007	4/6/2007	Coordinate summary judgment response and research regarding same.	0.50
Nancy V. Mate - 2007	4/9/2007	Research secondary source materials regarding qualified and official immunity claims.	8.10

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Barbara M. Livick - 2007	4/9/2007	Transmit executed authorizations to Defendants' attorney; discussion with Sheri Hixon; review documents produced by Defendants.	2.40
Anthony G. Edwards - 2007	4/10/2007	Review Defendants' Summary Judgment papers.	0.50
Nancy V. Mate - 2007	4/10/2007	Research secondary source cases regarding qualified immunity.	7.50
Barbara M. Livick - 2007	4/10/2007	Work on organizing and updating file.	3.30
Anthony G. Edwards - 2007	4/11/2007	Meeting with Sheri Hixon and Hixon family accountant; discussion with client regarding business records.	2.00
Nancy V. Mate - 2007	4/11/2007	Research 8th Circuit cases regarding qualified immunity.	4.50
Barbara M. Livick - 2007	4/11/2007	Meet with client's accountant.	2.20
Andrew D. Parker - 2007	4/11/2007	Meet with accountant and coordinate document production; review summary judgment motion from opposing counsel.	1.90
Nancy V. Mate - 2007	4/12/2007	Research 8th Circuit cases regarding qualified immunity.	5.40
Anthony G. Edwards - 2007	4/13/2007	Review Defendants' Summary Judgment papers; develop strategy regarding same.	2.50
Nancy V. Mate - 2007	4/13/2007	Research federal cases regarding qualified immunity; create memo.	4.70
Barbara M. Livick - 2007	4/13/2007	Arrange for copying of selected business records.	0.90
Nancy V. Mate - 2007	4/14/2007	Research federal cases regarding qualified immunity.	2.60
Nancy V. Mate - 2007	4/15/2007	Research federal cases regarding qualified immunity; create memo.	3.70
Anthony G. Edwards - 2007	4/16/2007	Develop strategy regarding Motion for Summary Judgment; prepare responsive papers for same.	5.80
Nancy V. Mate - 2007	4/16/2007	Consider legal options; research flight cases.	6.20
Anthony G. Edwards - 2007	4/17/2007	Prepare papers in opposition to Motion for Summary Judgment.	2.00
Nancy V. Mate - 2007	4/17/2007	Research flight, stops, suspect identification.	7.60
Barbara M. Livick - 2007	4/17/2007	Work on production of client financial documents (redaction and bates labeling).	0.90
Nancy V. Mate - 2007	4/18/2007	Consider legal options; research flight, stops; draft memo.	8.20
Anthony G. Edwards - 2007	4/18/2007	Prepare papers in opposition to Motion for Summary Judgment; conduct research related to same.	7.50
Karen V Wendt - 2007	4/18/2007	Redact bank account numbers and bates label client's financial documents for production.	3.00
Brenda J. Hanson - 2007	4/18/2007	Coordinate file.	0.60

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Nancy V. Mate - 2007	4/19/2007	Research proximity to crime cases, violation of obstruction statute; edit memo.	7.50
Barbara M. Livick - 2007	4/19/2007	Prepare correspondence to Defendants' attorney regarding business records.	0.90
Barbara M. Livick - 2007	4/19/2007	Prepare proposed Stipulation for Protective Order and cover letter to Susan Tindal; work on production of business records.	2.30
Andrew D. Parker - 2007	4/19/2007	Consider discovery response and need for protective order.	0.60
Barbara M. Livick - 2007	4/20/2007	Work on Stipulation for Protective Order; obtain executed Stipulation and transmit documents to Susan Tindal.	1.20
Anthony G. Edwards - 2007	4/21/2007	Research response to Motion for Summary Judgment.	8.40
Anthony G. Edwards - 2007	4/22/2007	Prepare papers in opposition to Motion for Summary Judgment.	6.50
Anthony G. Edwards - 2007	4/23/2007	Work on response to Defendants' Motion for Summary Judgment.	4.00
Anthony G. Edwards - 2007	4/24/2007	Work on response to Defendants' Motion for Summary Judgment.	8.30
Anthony G. Edwards - 2007	4/25/2007	Prepare papers in opposition to Motion for Summary Judgment; prepare and serve Stipulation of Partial Dismissal and Order.	7.30
Andrew D. Parker - 2007	4/25/2007	Work on response brief to Defendants' summary judgment motion.	1.00
Anthony G. Edwards - 2007	4/26/2007	Finalize response to Defendants' Motion for Summary Judgment.	4.30
Brenda J. Hanson - 2007	4/26/2007	Coordinate filing of Stipulation for Protective Order and deliver of proposed Order to Judge Mayeron.	0.40
Barbara M. Livick - 2007	4/26/2007	Work on securing diagram of scene/ follow-up with Ron Feist.	0.90
Andrew D. Parker - 2007	4/26/2007	Work on response brief to Defendants' summary judgment motion.	6.80
Anthony G. Edwards - 2007	4/27/2007	Prepare papers in opposition to Defendants' Motion for Summary Judgment.	7.00
Anthony G. Edwards - 2007	4/28/2007	Prepare papers in opposition to Defendants' Motion for Summary Judgment; discussion with client regarding same.	3.80
Anthony G. Edwards - 2007	4/30/2007	Prepare papers in opposition to Motion for Summary Judgment; meeting with client regarding same; organize exhibits related to same.	2.50

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Andrew D. Parker - 2007	4/30/2007	Work on response brief regarding Defendants' summary judgment motion.	3.00
Anthony G. Edwards - 2007	5/1/2007	Prepare papers in opposition to Motion for Summary Judgment and arrange exhibits relating to same.	4.90
Brenda J. Hanson - 2007	5/1/2007	Assist in service and filing of Memorandum in Opposition to Defendants' Motion for Summary Judgment and related documents.	1.00
Barbara M. Livick - 2007	5/4/2007	Follow-up with Ron Feist regarding diagram of gas station; discussion with Bill Micklus re status and payment of bill.	0.50
Anthony G. Edwards - 2007	5/7/2007	Gather cases for oral argument on Motion for Summary Judgment.	0.60
Barbara M. Livick - 2007	5/7/2007	Discussion with Ron Feist.	0.20
Barbara M. Livick - 2007	5/10/2007	Review Courage Center assessment; request records by mail.	0.60
Barbara M. Livick - 2007	5/11/2007	Follow-up with Ron Feist re layout of Sinclair station; discussion with Todd Zerlin regarding diagram.	0.40
Barbara M. Livick - 2007	5/14/2007	Work on obtaining diagram of scene of incident.	0.40
Barbara M. Livick - 2007	5/15/2007	Work on preparation of diagram; review documents received from Department of Veterans Affairs.	0.90
Anthony G. Edwards - 2007	5/16/2007	Develop strategy for summary judgment hearing.	0.60
Barbara M. Livick - 2007	5/16/2007	Work on updating and organizing file.	0.90
Andrew D. Parker - 2007	5/16/2007	Work on oral argument and draft outline related to same.	4.80
Anthony G. Edwards - 2007	5/17/2007	Review diagram of Sinclair station; develop strategy regarding usage of same; research rules on pleading individual liability and on motions to amend the Complaint.	0.80
Barbara M. Livick - 2007	5/17/2007	Work with artist in preparing diagram.	1.10
Andrew D. Parker - 2007	5/17/2007	Discussion with court regarding amendment to complaint; complete outline for oral argument and review case law.	3.40
Anthony G. Edwards - 2007	5/18/2007	Prepare Second Amended Complaint, Stipulation for Second Amendment of Complaint, and Order for Second Amendment of Complaint; prepare e-mail correspondence to Attorney Tindal enclosing same.	6.80
Barbara M. Livick - 2007	5/18/2007	Review status of matter; discussion with client regarding make and model of Client's Jaguar.	2.20
Andrew D. Parker - 2007	5/19/2007	Prepare for oral argument.	2.50
Andrew D. Parker - 2007	5/20/2007	Review case law and work on outline in preparation for oral argument.	3.60

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 2225 Xerxes Avenue North
 Golden Valley, MN 55422

Attorney	Date	Description/Comments	Hours
Daniel N. Rosen - 2007	5/21/2007	Attend hearing on motion for summary judgment; develop strategy.	2.00
Andrew D. Parker - 2007	5/21/2007	Prepare for and handle oral argument.	1.60
Barbara M. Livick - 2007	5/31/2007	Note recent verdict in excessive use of force case handled by Iverson Reuvers.	0.60
Barbara M. Livick - 2007	6/1/2007	Review records received from Courage Center.	0.80
Anthony G. Edwards - 2007	6/7/2007	Review Order Granting Partial Summary Judgment; research appealability of Order.	0.50
Nancy V. Mate - 2007	6/7/2007	Research appealability of partial summary judgment.	1.60
Andrew D. Parker - 2007	6/7/2007	Review summary judgment award and consider strategy related to same.	1.80
Barbara M. Livick - 2007	6/11/2007	Work on updating and organizing file; note items of follow-up for attorney Tindal regarding discovery; update Medical Records Summary and notebook; prepare correspondence to attorney Tindal.	2.60
Barbara M. Livick - 2007	6/12/2007	Follow-up with client regarding status of medical and psych treatment; update file.	0.90
Brenda J. Hanson - 2007	6/20/2007	Gather documents and coordinate file.	0.60
Anthony G. Edwards - 2007	6/25/2007	Prepare letter to Judge Mayeron regarding pretrial settlement conference; develop strategy regarding same.	2.00
Barbara M. Livick - 2007	6/25/2007	Consider strategy and status.	0.50
Anthony G. Edwards - 2007	6/26/2007	Develop strategy for pretrial settlement conference; calculate damages.	2.50
Barbara M. Livick - 2007	6/26/2007	Request updated medical records and bills by mail.	1.10
Andrew D. Parker - 2007	6/26/2007	Prepare for settlement consideration and discussion; analyze damages issues.	1.80
Andrew D. Parker - 2007	6/27/2007	Meet with Ms. Tindal regarding settlement; discussion with client regarding same.	1.20
Anthony G. Edwards - 2007	6/28/2007	Develop strategy.	0.20
Barbara M. Livick - 2007	6/29/2007	Work on updating itemization of medical bills and damages; schedule document review and Iverson Reuvers.	0.90
Anthony G. Edwards - 2007	7/2/2007	Develop strategy.	1.90
Barbara M. Livick - 2007	7/2/2007	Update list of medical expenses; follow-up with client regarding authorizations; meet to discuss trial strategy; attempt to reach psych experts Sundahl and Jacobs.	3.30
Andrew D. Parker - 2007	7/2/2007	Develop strategy regarding trial and coordinate additional discovery and trial preparation issues.	2.00

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Anthony G. Edwards - 2007	7/3/2007	Prepare letter to Judge Mayeron regarding settlement conference; meeting with client regarding same.	2.30
Barbara M. Livick - 2007	7/3/2007	Provide Defendants' attorney with executed authorizations; review records at office of Defendants' attorney and request selected copies; work on Second Supplemental Rule 26 Disclosure.	2.90
Anthony G. Edwards - 2007	7/5/2007	Prepare letter to Judge Mayeron regarding pretrial settlement conference; discussion with Tony Bouza regarding case status.	1.20
Barbara M. Livick - 2007	7/5/2007	Conference regarding status and strategy.	0.90
Andrew D. Parker - 2007	7/5/2007	Finalize settlement letter to Court.	1.00
Barbara M. Livick - 2007	7/6/2007	Prepare memo regarding potential issues; correspondence to Health Partners regarding subrogation claim; set up telephone conference with Susan Sunsdahl of Courage Center regarding cognitive testing.	0.90
Anthony G. Edwards - 2007	7/9/2007	Prepare jury instructions and special verdict form; conference call with Courage Center providers.	2.20
Barbara M. Livick - 2007	7/9/2007	Telephone conference with Susan Sunsdahl regarding cognitive assessment; work on trial preparation.	2.20
Andrew D. Parker - 2007	7/9/2007	Discussion with Courage Center physical therapist and review documents.	1.10
Anthony G. Edwards - 2007	7/10/2007	Prepare supplemental discovery responses.	0.40
Barbara M. Livick - 2007	7/10/2007	Update and organize file; note items of follow-up.	3.30
Andrew D. Parker - 2007	7/10/2007	Review damages and information for mediation.	1.50
Anthony G. Edwards - 2007	7/11/2007	Develop strategy for settlement conference; meeting with client regarding same.	2.50
Barbara M. Livick - 2007	7/11/2007	Preparation for settlement conference and strategy.	1.40
Andrew D. Parker - 2007	7/11/2007	Meet with clients; prepare for and handle settlement conference with Court.	6.50
Anthony G. Edwards - 2007	7/12/2007	Research jury instructions, special verdict forms, and voir dire in other police-brutality cases.	0.80
Barbara M. Livick - 2007	7/12/2007	Work on scheduling medical testimony for trial.	0.90
Andrew D. Parker - 2007	7/14/2007	Review exhibits and documents for trial.	4.50
Barbara M. Livick - 2007	7/16/2007	Work on scheduling medical depositions.	0.90
Barbara M. Livick - 2007	7/16/2007	Review and organize documents produced by Defendants.	1.20
Andrew D. Parker - 2007	7/16/2007	Consider witnesses and discussion with Mr. Pimsler.	1.80
Nancy V. Mate - 2007	7/17/2007	Prepare Kelly Blad deposition summary.	1.70

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Anthony G. Edwards - 2007	7/17/2007	Research possibility of amending Complaint to bring aiding-and-abetting charge against Dennis Arons.	1.50
Barbara M. Livick - 2007	7/17/2007	Work on identifying depositions to be summarized; follow-up with AAA Reporting regarding depositions already summarized; advise regarding revised income tax returns; work on preparing diagram of Sinclair station.	5.20
Andrew D. Parker - 2007	7/17/2007	Review documents and analyze trial issues.	2.10
Brenda J. Hanson - 2007	7/17/2007	Assist in trial preparation.	0.20
Nancy V. Mate - 2007	7/18/2007	Work on deposition summary of Kelly Blad.	4.40
Barbara M. Livick - 2007	7/18/2007	Work on summary of Arons deposition; schedule meeting with Dave Foley; work on scheduling medical depositions; work on updating file and strategy.	5.50
Andrew D. Parker - 2007	7/18/2007	Review documents including medical records.	2.20
Brenda J. Hanson - 2007	7/18/2007	Assist in assembling witness notebooks.	0.40
Nancy V. Mate - 2007	7/19/2007	Prepare Linda Loomis deposition summaries.	6.90
Anthony G. Edwards - 2007	7/19/2007	Develop strategy.	1.50
Andrew D. Parker - 2007	7/19/2007	Consider demonstrative exhibits, diagram, and medical evidence.	2.20
Nancy V. Mate - 2007	7/20/2007	Work on Linda Loomis deposition summary.	4.00
Karen V Wendt - 2007	7/20/2007	Bates label exhibits.	2.00
Nancy V. Mate - 2007	7/23/2007	Work on Jill Hanson deposition summary.	5.20
Barbara M. Livick - 2007	7/23/2007	Work on Arons deposition summary.	3.80
Andrew D. Parker - 2007	7/23/2007	Review documents and begin to prepare exhibits; review deposition summaries; coordinate pre-meeting with opposing counsel.	3.90
Brenda J. Hanson - 2007	7/23/2007	Assist in preparation of trial exhibits.	0.70
Anthony G. Edwards - 2007	7/24/2007	Prepare Special Verdict Form, Proposed Voir Dire Questions, and Jury Instructions; meeting with Dave Foley.	5.10
Nancy V. Mate - 2007	7/24/2007	Prepare Angel Jensen deposition summary.	3.30
Barbara M. Livick - 2007	7/24/2007	Schedule depositions and meetings with Dr. Shirriff and Ginny Jacobs; discussions with Dr. Shirriff; meet with Dave Foley regarding diagram; prepare and serve Notice of Taking Depositions to Perpetuate Testimony for Trial; work on compiling various deposition summaries and strategy.	6.20
Andrew D. Parker - 2007	7/24/2007	Coordinate medical depositions; discussion with Mr. Hixon regarding medical visits.	0.60
Karen V Wendt - 2007	7/24/2007	Bates label exhibits.	1.00

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Brenda J. Hanson - 2007	7/24/2007	Assist in preparation of trial exhibits.	0.60
Nancy V. Mate - 2007	7/25/2007	Prepare Russell Hanes deposition summary.	6.10
Anthony G. Edwards - 2007	7/25/2007	Develop strategy; prepare trial documents.	1.50
Andrew D. Parker - 2007	7/25/2007	Review medical records in preparation for meeting with Dr. Shirriff.	1.50
Barbara M. Livick - 2007	7/25/2007	Identify records to be provided to Ginny Jacobs and Dr. Shirriff; prepare correspondence to BHSI confirming arrangements and enclosing records; fax records to Dr. Shirriff for review prior to attorney conference; work on scheduling conference and deposition of Dr. Boyd.	3.50
Nancy V. Mate - 2007	7/26/2007	Work on Russell Hanes deposition summary.	7.80
Anthony G. Edwards - 2007	7/26/2007	Review e-mail correspondence from Attorney Tindal regarding extension of deadline for deposition testimony; prepare Stipulation to Amend Order re. Submission of Materials to Court and Order.	1.10
Andrew D. Parker - 2007	7/26/2007	Review medical records; prepare for and meet with Dr. Shirriff.	2.50
Barbara M. Livick - 2007	7/26/2007	Work on Arons deposition summary; work on identifying subrogation claims; update file.	5.50
Andrew D. Parker - 2007	7/27/2007	Review deposition summaries.	1.00
Barbara M. Livick - 2007	7/27/2007	Work on trial preparation; fine-tuning diagram, serve amended depo notices, update and organize file.	5.50
Anthony G. Edwards - 2007	7/30/2007	Research law regarding admissibility of deposition testimony of treating physician; prepare Trial Brief.	6.80
Andrew D. Parker - 2007	7/30/2007	Discussion with litigation team regarding damages and scheduling; work on testimony and review summaries.	1.60
Barbara M. Livick - 2007	7/30/2007	Work on Hernandez deposition summary.	4.50
Brenda J. Hanson - 2007	7/30/2007	Coordinate filing of Stipulation for Amendment of Order Re. Submission of Trial Materials.	0.50
Anthony G. Edwards - 2007	7/31/2007	Prepare Trial Brief.	1.90
Barbara M. Livick - 2007	7/31/2007	Work on diagram and location of items at scene; work on Hernandez deposition summary.	4.30
Brenda J. Hanson - 2007	7/31/2007	Gather documents and coordinate file.	0.40
Anthony G. Edwards - 2007	8/1/2007	Prepare trial documents; develop strategy; prepare deposition outline for Dr. John Shirriff; prepare e-mail correspondence to Attorney Tindal regarding case status.	4.30

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Barbara M. Livick - 2007	8/1/2007	Work on arrangements for scale diagram of scene; prepare trial witness folders including all documents relevant to each witness.	6.60
Andrew D. Parker - 2007	8/1/2007	Review documents and coordinate exhibits.	1.50
Anthony G. Edwards - 2007	8/2/2007	Prepare deposition outline for Dr. Shirriff; prepare trial documents.	3.30
Barbara M. Livick - 2007	8/2/2007	Work on file organization and analysis of claims; work on deposition summaries.	3.40
Karen V Wendt - 2007	8/2/2007	Obtain court reporter for deposition of Dr. John Shirriff.	0.30
Anthony G. Edwards - 2007	8/3/2007	Prepare deposition outline for Dr. Shirriff.	1.50
Barbara M. Livick - 2007	8/3/2007	Work on updating medical records and expenses; summarize deposition testimony.	3.30
Andrew D. Parker - 2007	8/3/2007	Analyze treating physician issues including caselaw; review documents related to same; review bifurcation strategy and consider additional damages issues.	3.80
Anthony G. Edwards - 2007	8/6/2007	Develop strategy regarding treating physicians; prepare trial documents.	4.00
Barbara M. Livick - 2007	8/6/2007	Work on organizing witness folders; follow-up regarding errata sheets; summarize deposition of Arons.	4.50
Andrew D. Parker - 2007	8/6/2007	Discussion with Dr. Shirriff regarding facts and scheduling; meet with Ms. Jacobs regarding treatment and documents; review documents and damages issues.	4.50
Anthony G. Edwards - 2007	8/7/2007	Develop strategy regarding exhibits; organize exhibits and prepare trial documents.	4.90
Barbara M. Livick - 2007	8/7/2007	Meet regarding trial preparation, work on witness and exhibit lists; prepare for deposition of Dr. Shirriff.	5.20
Andrew D. Parker - 2007	8/7/2007	Organize documents and rebuttal exhibits; prepare for and handle Dr. Shirriff's deposition; consider expert issues.	5.40
Anthony G. Edwards - 2007	8/8/2007	Research attorney-client privilege regarding treating physicians; research whether treating physicians must be expert witnesses; prepare trial documents; develop strategy; discussion with Tony Bouza regarding trial testimony.	6.30
Barbara M. Livick - 2007	8/8/2007	Work on summary of Arons deposition testimony; work on updating medical expenses.	5.30
Andrew D. Parker - 2007	8/8/2007	Coordinate exhibits and consider treating physician issues.	1.80
Anthony G. Edwards - 2007	8/9/2007	Prepare witness outlines; develop strategy; discussion with Tony Bouza; prepare trial documents.	6.50

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Barbara M. Livick - 2007	8/9/2007	Work on trial exhibits and obtaining best quality reproduction of photos taken by Arons; work on summary of Hernandez deposition summary.	4.80
Andrew D. Parker - 2007	8/9/2007	Work on trial testimony of Ms. Blad.	1.80
Anthony G. Edwards - 2007	8/10/2007	Discussion with Melissa Nachmias regarding Hixons; develop strategy.	3.30
Brenda J. Hanson - 2007	8/10/2007	Assist in trial preparation.	0.40
Barbara M. Livick - 2007	8/10/2007	Work on deposition summary of Dennis Arons.	3.90
Andrew D. Parker - 2007	8/10/2007	Meet with Ms. Tindal regarding documents and exchange; review and revise exhibit and witness lists; discussion with damages witnesses.	3.50
Anthony G. Edwards - 2007	8/11/2007	Call potential witnesses; interview Dennis Hodgdon.	1.60
Nancy V. Mate - 2007	8/13/2007	Prepare Sheri Hixon deposition summary.	1.50
Anthony G. Edwards - 2007	8/13/2007	Develop strategy; discussion with client; interview Larry Chilian.	3.40
Brenda J. Hanson - 2007	8/13/2007	Coordinate court room training; gather documents and coordinate file.	1.20
Barbara M. Livick - 2007	8/13/2007	Work on summary of Roger Johnson deposition; research on PTSD.	3.20
Andrew D. Parker - 2007	8/13/2007	Consider strategy regarding jury instruction and trial evidence; review jury instructions, special verdict form, trial brief, voir dire and revise same; discussion with client regarding damages issues.	6.20
Nancy V. Mate - 2007	8/14/2007	Work on Sheri Hixon deposition summary.	6.10
Anthony G. Edwards - 2007	8/14/2007	Interview Dr. Verna Price; develop strategy; prepare trial documents; meeting with client regarding case strategy.	4.50
Barbara M. Livick - 2007	8/14/2007	Work on summary of Roger Johnson deposition.	4.30
Anthony G. Edwards - 2007	8/15/2007	Develop strategy; prepare trial documents; prepare motion in limine regarding tax returns.	4.00
Nancy V. Mate - 2007	8/15/2007	Prepare deposition summary; research issue of testimony by treating physicians.	3.00
Barbara M. Livick - 2007	8/15/2007	Summarize deposition testimony of Roger Johnson; work on motions in limine re expert testimony.	3.40
Brenda J. Hanson - 2007	8/16/2007	Assist in trial preparation.	0.40
Anthony G. Edwards - 2007	8/16/2007	Develop strategy; prepare pretrial documents; discussion with Judge's clerk regarding Order Granting Leave to Amend Complaint.	3.10

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Barbara M. Livick - 2007	8/16/2007	Assist with motions in limine; work on trial exhibits and witness list.	3.50
Andrew D. Parker - 2007	8/16/2007	Work on trial brief, exhibit and witness list, and related court filings; review and work on Jensen, Hanson, and Johnson trial testimony.	5.20
Brenda J. Hanson - 2007	8/17/2007	Assist in filing of trial documents.	1.00
Anthony G. Edwards - 2007	8/17/2007	Prepare trial documents; develop strategy; discussion with Attorney Tindal regarding case status.	7.00
Nancy V. Mate - 2007	8/17/2007	Research issue of testimony by treating physicians; review defense motions in limine.	8.30
Barbara M. Livick - 2007	8/17/2007	Work on summaries of deposition testimony, witness folders and general file organization and updates.	6.00
Andrew D. Parker - 2007	8/17/2007	Work on Johnson testimony; work on Blad testimony; work on trial filings.	4.20
Anthony G. Edwards - 2007	8/18/2007	Prepare witness outlines; prepare response to Defendants' Trial Brief; develop strategy regarding evidence.	6.50
Nancy V. Mate - 2007	8/18/2007	Research issue of testimony by treating physicians; review defense motions in limine.	9.30
Andrew D. Parker - 2007	8/18/2007	Work on Hernandez trial examination; analyze response strategy to Defendants' motions in limine; work on same.	3.80
Anthony G. Edwards - 2007	8/19/2007	Prepare witness outlines; prepare response to Defendants' Trial Brief; develop strategy regarding evidence.	3.40
Nancy V. Mate - 2007	8/19/2007	Review select exhibit documents; draft Jacobs affidavit; outline Motion in Limine; research Daubert analysis for causation.	7.20
Andrew D. Parker - 2007	8/19/2007	Work on Hernandez trial examination; work on McCarville trial examination; work on Arons trial examination; coordinate response to Defendants' trial filings.	7.80
Anthony G. Edwards - 2007	8/20/2007	Prepare witness outlines; prepare Memorandum in Reply to Defendants' Trial Brief; research admissibility of medical records.	4.30
Nancy V. Mate - 2007	8/20/2007	Prepare affidavits for Ginny Jacobs and Dr. Shirriff; draft response to Motions in Limine; telephone conferences with Ginny Jacobs and Dr. Shirriff.	11.50
Brenda J. Hanson - 2007	8/20/2007	Assist in trial preparation.	0.20
Barbara M. Livick - 2007	8/20/2007	Work on Motions in Limine and Al Hixon deposition summary.	4.20

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Douglas G. Wardlow - 2007	8/20/2007	Analyze evidentiary issues related to testimony of treating physicians.	0.30
Andrew D. Parker - 2007	8/20/2007	Review affidavits of Shirriff and Jacobs and work on pre-trial filings; consider motions in limine.	2.80
Anthony G. Edwards - 2007	8/21/2007	Prepare witness outlines.	1.40
Nancy V. Mate - 2007	8/21/2007	Edit affidavits; telephone conferences with Ginny Jacobs and Dr. Shirriff; continue draft response to first argument section of Motion in Limine.	11.20
Barbara M. Livick - 2007	8/21/2007	Work on demonstrative exhibits and attempt to reach various witnesses; work on Al Hixon deposition summary.	2.20
Douglas G. Wardlow - 2007	8/21/2007	Legal research on the issue of testimony of treating physicians regarding PTSD; analyze evidentiary issues related to same.	3.70
Andrew D. Parker - 2007	8/21/2007	Work on Sergeant Arons' cross-examination; discussion with treating physician and review affidavit; consider pre-trial filings.	4.40
Anthony G. Edwards - 2007	8/22/2007	Research rules on admissibility of medical records and prepare Plaintiff's Memo in Response to Defendants' Motion In Limine to Exclude Medical Records.	3.00
Nancy V. Mate - 2007	8/22/2007	Draft argument section of Motion in Limine.	13.10
Brenda J. Hanson - 2007	8/22/2007	Coordinate delivery of trial documents to Judge Kyle.	0.30
Barbara M. Livick - 2007	8/22/2007	Update list of medical expenses and provide Plaintiff's attorney with documentation; work on Al Hixon deposition summary.	4.30
Douglas G. Wardlow - 2007	8/22/2007	Analyze evidentiary issues related to PTSD testimony; legal research regarding same.	1.30
Andrew D. Parker - 2007	8/22/2007	Work on Sergeant Arons' cross-examination; work on motions and submissions to Court; analyze documents and legal arguments.	7.80
Anthony G. Edwards - 2007	8/23/2007	Prepare responses to Defendants' Motions in Limine; prepare Reply to Defendants' Trial Brief; prepare Response to Defendant's Objections to Exhibits.	9.60
Nancy V. Mate - 2007	8/23/2007	Finalize response to Motion in Limine regarding testimony by treating physicians.	8.70
Brenda J. Hanson - 2007	8/23/2007	Gather documents and coordinate file; assist in service and filing of responses in opposition to Defendants' motions in limine.	2.00

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Barbara M. Livick - 2007	8/23/2007	Prepare correspondence to Defendants' attorney; meet re trial strategy; update and organize file; check pleadings for completeness and accuracy.	5.20
Douglas G. Wardlow - 2007	8/23/2007	Research 8th Circuit case law on PTSD-related testimony; draft e-mail memorandum regarding same; discuss findings with Attorneys Parker and Mate.	2.10
Andrew D. Parker - 2007	8/23/2007	Continue work on pre-trial filings; revise memorandum of law; continue preparation for trial.	5.50
Anthony G. Edwards - 2007	8/24/2007	Meeting with client; develop strategy; prepare Response to Defendant's Objections to Exhibits.	9.20
Brenda J. Hanson - 2007	8/24/2007	Coordinate delivery of response pleadings to Judge Kyle.	0.30
Barbara M. Livick - 2007	8/24/2007	Meet with client; review and organize his files and identify any additional documents not previously disclosed.	2.30
Barbara M. Livick - 2007	8/24/2007	Work on preparation of witness subpoenas; request checks for subpoena fees; work on deposition summaries.	2.20
Andrew D. Parker - 2007	8/24/2007	Meet with Mr. Hixon regarding testimony and background information; work on outlines of testimony; work on response to objections to exhibits.	5.80
Anthony G. Edwards - 2007	8/25/2007	Prepare witness outlines; develop strategy; prepare Response to Defendant's Objections to Exhibits.	5.50
Anthony G. Edwards - 2007	8/26/2007	Prepare witness outlines.	2.90
Andrew D. Parker - 2007	8/26/2007	Review and revise witness outlines for testimony of Officers Smith, Hanes, Kuhnly, and Mrs. Hixon.	4.50
Anthony G. Edwards - 2007	8/27/2007	Prepare responses to Defendants' Objections to Exhibit List; prepare responses to Defendants' Jury Instructions; develop strategy.	3.20
Nancy V. Mate - 2007	8/27/2007	Consider legal arguments regarding testimony of treating physicians and admission of medical records.	0.70
Barbara M. Livick - 2007	8/27/2007	Prepare cover letters and arrange for service of subpoenas on trial witnesses; work on Al Hixon deposition summary.	3.90
Andrew D. Parker - 2007	8/27/2007	Work on filings to Court including response to Defendants' submissions; work on testimony and review documentation; review evidentiary issues.	4.20
Anthony G. Edwards - 2007	8/28/2007	Develop strategy; research parameters of permissible rebuttal expert testimony; attend pretrial conference; prepare memorandums regarding trial evidence.	8.10

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Nancy V. Mate - 2007	8/28/2007	Research cases regarding tax records, limitations on need for Daubert analysis.	3.60
Brenda J. Hanson - 2007	8/28/2007	Assist in service and filing of Plaintiff's Response to Defendants' Objection to Plaintiff's Exhibit List; coordinate deliver of same to Judge Kyle; coordinate file.	1.00
Andrew D. Parker - 2007	8/28/2007	Prepare for pre-trial status meeting and handle pre-trial status meeting.	3.80
Anthony G. Edwards - 2007	8/29/2007	Discussion with Ginny Jacobs regarding case status; call to Tony Bouza; discussion with client regarding case status; develop strategy; research judicial notice of lawfulness of arrest of Al Hixon; prepare Motion in Limine to Exclude Judicial Notice Regarding Lawfulness of Plaintiff's Arrest.	9.30
Nancy V. Mate - 2007	8/29/2007	Research issue of business records exception for IME report.	6.80
Barbara M. Livick - 2007	8/29/2007	Conference regarding trial exhibits and witness list; confirm arrangements of subpoenas and follow-up regarding same; discussion with Hodgdon and Greenwood regarding timing of testimony.	3.30
Anthony G. Edwards - 2007	8/30/2007	Prepare Motions in Limine and memorandum to Judge Kyle.	7.50
Nancy V. Mate - 2007	8/30/2007	Research issue of business records exception for IME report.	5.30
Barbara M. Livick - 2007	8/30/2007	Work on service of subpoenas and witness handling; conference regarding motions in limine and related issues.	2.90
Andrew D. Parker - 2007	8/30/2007	Work on pre-trial conference filings; work on testimony outlines of additional witnesses.	6.50
Brenda J. Hanson - 2007	8/31/2007	Assist in filing of motion papers; coordinate deliver of same to Judge Kyle; coordinate file.	1.00
Anthony G. Edwards - 2007	8/31/2007	Prepare Motions in Limine and memorandum to Judge Kyle; attend courtroom technology training; meeting with client; prepare responses to Defendants' Amended Objections to Plaintiff's Exhibit List.	10.70
Barbara M. Livick - 2007	8/31/2007	Organize file materials; contact Dave Foley regarding possible testimony at trial; arrange for payment of various invoices; work on witness folders and attempt to locate affidavits or statements of Defendants' witnesses; conference regarding trial schedule and witnesses.	5.50

PARKER ROSEN LLC

133 North First Avenue
 Minneapolis, MN 55401
 EIN 20-3550547

Invoice

Date	Invoice #
9/30/2007	1724

MATTER

Mr. Al Hixon
 2225 Xerxes Avenue North
 Golden Valley, MN 55422

1410-001

Attorney	Date	Description/Comments	Hours
Andrew D. Parker - 2007	8/31/2007	Review courtroom and work on technology in courtroom; work on filings in response to pre-trial conference requests; work on response to amended objections by Defendants; meet with Mr. Hixon regarding testimony.	8.80
Brenda J. Hanson - 2007	9/1/2007	Assist in preparation and filing of pre-trial pleadings and documents.	1.50
Anthony G. Edwards - 2007	9/2/2007	Prepare witness outlines; develop strategy.	6.40
Andrew D. Parker - 2007	9/2/2007	Prepare for trial; coordinate and review exhibits.	5.50
Anthony G. Edwards - 2007	9/3/2007	Prepare witness outlines; develop strategy; meeting with Tony Bouza.	4.50
Andrew D. Parker - 2007	9/3/2007	Prepare for trial; prepare for pre-trial review legal issues.	5.50
Anthony G. Edwards - 2007	9/4/2007	Conduct pretrial conference; develop strategy; call to Tony Bouza; discussion with Tony Bouza; prepare witness outlines; meeting with John Shirriff and Ginny Jacobs; develop strategy; prepare demonstrative aids; call to Attorney Tindal regarding redaction of medical records.	10.00
Barbara M. Livick - 2007	9/4/2007	Work on arrangements for service of subpoenas and witness testimony at trial; work on trial exhibits and organization.	4.30
Andrew D. Parker - 2007	9/4/2007	Handle pre-trial and work on opening; work on direct examinations.	8.50
Brenda J. Hanson - 2007	9/4/2007	Assist in trial preparation.	0.30
Anthony G. Edwards - 2007	9/5/2007	Meeting with client and Sheri Hixon; develop strategy; call to Attorney Tindal regarding redaction of medical records; call to Dennis Hodgdon regarding testimony; call to Verna Price regarding testimony; discussion with Verna Price regarding same; prepare and organize exhibits.	9.50
Barbara M. Livick - 2007	9/5/2007	Complete labeling and organization of trial exhibits; redact documents; arrange for copying.	5.30
Andrew D. Parker - 2007	9/5/2007	Prepare for trial and work on opening; revise exhibit list and court filings.	7.50
Anthony G. Edwards - 2007	9/6/2007	Litigate trial; develop strategy regarding same.	12.50
Barbara M. Livick - 2007	9/6/2007	Coordinate witness testimony.	0.90
Daniel N. Rosen - 2007	9/6/2007	Attend trial; develop strategy.	4.00
Andrew D. Parker - 2007	9/6/2007	Handle trial, day 1 and prepare for trial, day 2.	12.80
Anthony G. Edwards - 2007	9/7/2007	Litigate trial; develop strategy regarding same; prepare Motion in Limine For Admission of Medical Evidence Regarding Plaintiff's Background	11.40

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 Golden Valley, MN 55422

MATTER

1410-001

Attorney	Date	Description/Comments	Hours
Barbara M. Livick - 2007	9/7/2007	Coordinate witness testimony; travel to St. Paul and observe trial testimony.	2.30
Andrew D. Parker - 2007	9/7/2007	Handle trial, day 2 and prepare for trial, day 3; work on arguments regarding legal issues.	13.70
Anthony G. Edwards - 2007	9/8/2007	Review Court's Jury Instructions and prepare memo to file regarding same; prepare demonstrative aids; prepare Motions in Limine; meeting with client.	11.50
Andrew D. Parker - 2007	9/8/2007	Work on trial testimony and filings; trial preparation.	8.80
Anthony G. Edwards - 2007	9/9/2007	Prepare witness outlines; develop strategy; meeting with Tony Bouza.	13.80
Andrew D. Parker - 2007	9/9/2007	Work on closing and adjust trial testimony and filings.	10.50
Brenda J. Hanson - 2007	9/9/2007	Assist in service and filing of trial documents.	0.80
Barbara M. Livick - 2007	9/10/2007	Preserve Star Tribune newspaper article; work on trial witness coordination and subpoenas.	4.30
Anthony G. Edwards - 2007	9/10/2007	Litigate trial; develop strategy regarding same; prepare proposed additional jury instruction.	13.80
Andrew D. Parker - 2007	9/10/2007	Handle trial, day 3 and prepare for trial, day 4; work on closing.	13.80
Brenda J. Hanson - 2007	9/10/2007	Assist in service and filing of Plaintiff's Objections and Requests Regarding the Court's Jury Instructions; coordinate file.	1.00
Anthony G. Edwards - 2007	9/11/2007	Litigate trial.	6.50
Barbara M. Livick - 2007	9/11/2007	Travel to St. Paul for closing argument and returning file materials to Parker Rosen following same.	2.20
Andrew D. Parker - 2007	9/11/2007	Handle trial, day 4, including closing and jury charge; coordinate and organize file in preparation for potential additional filings.	7.50
Barbara M. Livick - 2007	9/12/2007	Review jury questions and consider responses; work on compiling documentation of expenses and attorney billing; consider resolution of medical subrogation claims.	0.70
Andrew D. Parker - 2007	9/12/2007	Review and respond to jury issues.	0.80
Anthony G. Edwards - 2007	9/13/2007	Discussion with client regarding verdict.	0.50
Andrew D. Parker - 2007	9/13/2007	Respond to jury issues and verdict; discursion with client regarding same and coordinate post-judgment strategy and issues.	1.80
Andrew D. Parker - 2007	9/17/2007	Work on fee petition.	0.80

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Invoice

Date	Invoice #
9/30/2007	1724

Mr. Al Hixon
 2225 Xerxes Avenue North
 Golden Valley, MN 55422

MATTER

1410-001

Attorney	Date	Description/Comments	Hours
Barbara M. Livick - 2007	9/17/2007	Consider implications of jury verdict and confer regarding cost and attorney fees documentation.	2.30
Barbara M. Livick - 2007	9/18/2007	Work on compiling costs and resolving subrogation claims of Health Partners and Medica; research regarding same.	2.60
Andrew D. Parker - 2007	9/18/2007	Continue review and preparation for fee petition.	0.60
Anthony G. Edwards - 2007	9/19/2007	Prepare Affidavits of for Motion for Award of Attorneys' Fees; review invoices for use with same.	1.10
Barbara M. Livick - 2007	9/19/2007	Review billing records for attorney time; edit same; work on compiling documentation of costs.	2.30
Anthony G. Edwards - 2007	9/20/2007	Prepare documents relating to Motion for Attorney's Fees; prepare proposed Judgment and call Attorney Tindal regarding same.	1.70
Barbara M. Livick - 2007	9/20/2007	Review and edit attorney billing; follow-up with Smith Parker regarding documentation.	3.20
Andrew D. Parker - 2007	9/20/2007	Review and revise fee petition information.	0.50
Anthony G. Edwards - 2007	9/21/2007	Prepare documents relating to Motion for Attorney's Fees; calls to Attorney Iverson and Tindal regarding Judgment; discussion with Judge's Clerk regarding same.	6.30
Barbara M. Livick - 2007	9/21/2007	Work on documentation of attorneys fees and costs.	2.80
Andrew D. Parker - 2007	9/21/2007	Review and revise information regarding fee petition.	0.50
Anthony G. Edwards - 2007	9/24/2007	Prepare Memorandum in support of Motion for Attorney Fees; discussion with Attorney Tindal regarding proposed Judgment.	0.60
Barbara M. Livick - 2007	9/24/2007	Work on Bill of Costs and Affidavit of Costs and Disbursements; compile corresponding documentation; research regarding same.	2.90
Andrew D. Parker - 2007	9/24/2007	Consider proposed judgment.	0.50
Anthony G. Edwards - 2007	9/25/2007	Prepare proposed Judgment and Memorandum in support of same.	2.90
Barbara M. Livick - 2007	9/25/2007	Update and organize file following trial.	2.90
Andrew D. Parker - 2007	9/25/2007	Work on post-judgment filings including fee petition.	1.00
Anthony G. Edwards - 2007	9/26/2007	Prepare documents related to Motion for Attorneys' Fees and Proposed Judgment.	0.50
Andrew D. Parker - 2007	9/26/2007	Work on finalizing judgment for filing and fee petition documents.	1.00
Anthony G. Edwards - 2007	9/27/2007	Prepare documents regarding taxation of attorney's fees.	0.50

EXHIBIT 6

List of Plaintiff's Litigation Costs

Item	Description	Amount
1.	Fees of Clerk – (Hennepin County District Court)	\$327.00
2.	Fees for Service of Summons and Complaint (Metro Legal Services)	
	City of Golden Valley	\$33.00
	Dennis Arons	\$22.00
	Mario Hernandez	\$55.00
	David Kuhnly	\$55.00
	Christine McCarville	\$39.00
	Fees for Service of Subpoenas (Metro Legal Services)	
	Angel Jensen (deposition)	\$33.00
	Jill Hanson (deposition)	\$10.00
	Andrew Willenbring (deposition)	\$10.00
	Dave Greenwood (trial)	\$39.00
	Dennis Hodgdon (trial)	\$39.00
	Ginny Jacobs (trial)	\$39.00
	Dr. Verna Price (trial)	\$33.00
	Dr. John Shirriff (trial)	\$10.00
	Andrew Willenbring (trial)	\$39.00
	Ronald Feist (trial)	\$44.00
	Subtotal: \$500.00	
3.	Court Reporter Fees for Depositions	
	Benchmark Reporting – Brian Dahlberg	\$517.25
	AAA Reporting – Willenbring, Hanson & Jensen	\$516.00
	AAA Reporting – Mario Hernandez	\$1,200.30
	AAA Reporting – David Kuhnly	\$365.70
	AAA Reporting – Christine McCarville	\$819.40
	AAA Reporting – Craig Smith	\$885.40
	Kirby Kennedy & Assoc. – Denis Arons	\$877.05
	Kirby Kennedy & Assoc. – Kelly Blad	\$324.95
	Kirby Kennedy & Assoc. – Linda Loomis	\$297.20
	Kirby Kennedy & Assoc. – Roger Johnson	\$613.25
	Kirby Kennedy & Assoc. – Russell Hanes	\$282.80
	Kinsella, Hartigan & Kelzer – Sheri Hixon	\$199.10
	Kinsella, Hartigan & Kelzer – Aljuan Hixon	\$285.85
	Pat Carl & Assoc. – Dr. John Shirriff	\$889.80
	Subtotal: \$8,074.05	

4.	Printing and Photocopy Expense	
	Albersman & Armstrong, Ltd (processing and duplication of photographs)	\$360.00
	C1 Legal (bulk photocopying)	\$425.40
	Kinko's – Printing 24 X 36 Diagram of Scene	\$64.28
	Digital Litigation Solutions/Dave Foley (Scale Diagram of Scene)	\$1,425.00
	2005 Smith Parker (1,195 copies @ \$.25/page)	\$298.75
	2006 Parker Rosen (1,148 copies @ \$.25/page)	\$287.00
	2007 Parker Rosen (3,510 copies @ \$.25/page)	\$877.50
	Subtotal: \$3,737.93	
5.	Witness/Subpoena Fees and Mileage	
	Angel Jensen (deposition)	\$46.00
	Jill Hanson (deposition)	\$46.00
	Andrew Willenbring (deposition)	\$46.00
	David Greenwood (trial)	\$50.00
	Dennis Hodgdon (trial)	\$50.00
	Ginny Jacobs (trial)	\$50.00
	Dr. Verna Price (trial)	\$50.00
	Dr. John Shirriff (trial)	\$50.00
	Andrew Willenbring (trial)	\$50.00
	Ronald Feist (trial)	\$50.00
	Anthony V. Bouza (trial) Witness fee (\$40), mileage (100 mi. x \$0.445 = \$44.50), and 2 nights subsistence at per diem rate of \$177 for witness traveling outside the District of Minnesota (\$354)	\$438.50
	Subtotal: \$926.50	
6.	Postage Expense	
	2005 Smith Parker	\$8.00
	2006 Parker Rosen	\$25.17
	2007 Parker Rosen	\$64.79
	Subtotal: \$97.96	
7.	Attorney Mileage, Parking and Meal Expense	
	April 2007 – Mileage and Parking - AGEduards	\$17.55
	June 2007 – Parking – ADParker	\$7.00
	July 2007 – Parking – ADParker	\$9.00
	August 2007 – Mileage – BMLivick	\$9.24
	September 2007 – Parking – NVMate	\$8.50
	Parking – ADParker (4 X \$13)	\$52.00
	Meal – ADParker 9/6/07	\$20.60
	Meal – ADParker 9/7/07	\$7.33

	Meal – ADParker 9/10/07	\$8.23
	Meal with Client - ADParker 9/17/07	\$72.57
	<i>Subtotal: \$212.02</i>	
8.	Cost of Obtaining Medical Records	
	Health Partners	\$247.92
	North Memorial Medical Center	\$88.04
	Northwest Orthopedic Surgeons	\$20.00
	Institute of Athletic Medicine	\$88.30
	SDS – Billing Records from Park Nicollet Medical Center and Northwest Orthopedic Surgeons	\$125.01
	C & M – Records from Behavioral Health Services, Inc.	\$80.44
	Park Nicollet Medical Center	\$20.00
	Center for Diagnostic Imaging	\$19.50
	Confidential Copy – Records from Edina Sports Health and Wellness	\$25.52
	<i>Subtotal: \$714.73</i>	
9.	Courier Expense – Metro Legal	
	January 2007	\$68.90
	March 2007	\$122.22
	April 2007	\$29.10
	May 2007	\$31.00
	June 2007	\$28.00
	August 2007	\$148.00
	September 2007	\$31.00
	<i>Subtotal: \$458.22</i>	
10.	Other Expenses	
	July 2005 – Employment records from Honeywell	\$34.50
	July 2005 – Employment records from Qwest	\$4.60
	February 2007 – Records from Minnesota Department of Human Rights	\$8.47
	<i>Subtotal: \$47.57</i>	
	TOTAL	\$15,096.52

EXHIBIT 7

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

DEBORAH K. KING,

Civil No. 05-388 (JRT/FLN)

Plaintiff,

v.

**MEMORANDUM OPINION AND
ORDER ON MOTION FOR
ATTORNEYS' FEES AND COSTS**

DICKEY JOE TURNER,

Defendant.

Robert Bennett and Ryan O. Vettleson, **FLYNN GASKINS & BENNETT, LLP**, 333 South Seventh Street, Suite 2900, Minneapolis, MN 55402, for plaintiff.

C. David Dietz, Assistant Ramsey County Attorney, **RAMSEY COUNTY ATTORNEY**, 50 West Kellogg Boulevard, Suite 560, St. Paul, MN 55102, for defendant.

Plaintiff Deborah King filed this lawsuit against defendant Dickey Joe Turner, who is a deputy of the Ramsey County Sheriff's Department. In her complaint, plaintiff alleges that on February 26, 2003 defendant used excessive force against her in violation of her constitutional rights. On November 16, 2006, a jury returned a verdict for plaintiff and against defendant. The jury awarded plaintiff \$114,508.90 in actual damages and \$15,000.00 in punitive damages.

This matter is before the Court on plaintiff's motion for attorneys' fees and costs under 42 U.S.C. § 1988. For the reasons discussed below, the Court awards plaintiff the sum of \$317,605.74 for reasonable attorneys' fees and costs.

ANALYSIS

42 U.S.C. § 1988 provides that “[i]n any action or proceeding to enforce a provision of [section 1983], the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney’s fee as part of the costs” 42 U.S.C. § 1988(b). The purpose of § 1988 is to ensure effective access to the judicial process for persons with civil rights grievances. *Hensley v. Eckerhart*, 461 U.S. 424, 429 (1983). Plaintiff succeeded on every issue presented to the jury in this litigation. Plaintiff is therefore entitled to attorneys’ fees as a prevailing party under § 1988.

Plaintiff submitted affidavits and exhibits to the Court documenting the hours expended in this litigation and the billing rates for these services, as well as the costs incurred. In total, plaintiff has requested an award of attorneys’ fees and costs in the amount of \$317,798.88. Defendant objects to this award on several grounds.

I. REASONABLE ATTORNEYS’ FEES

An award of attorneys’ fees to a prevailing party must be reasonable. *Hensley*, 461 U.S. at 433. The initial estimate of a reasonable attorney’s fee is properly calculated by multiplying the number of hours reasonably expended by a reasonable hourly rate. *Blum v. Stenson*, 465 U.S. 886, 888 (1984). The district court is expressly allowed to exercise its discretion in determining the reasonableness of an award. *Id.* at 902 n.19.

A. Hourly Rate

The fee applicant bears the burden to “produce satisfactory evidence in addition to the attorney’s own affidavit that the requested rates are in line with those prevailing in the community for similar services by lawyers of reasonably comparable skill, experience

and reputation.” *Blum*, 465 U.S. at 896 n.11. A rate calculated this way is presumed reasonable. *Id.*

Defendant argues that there was nothing unusual or complex about plaintiff’s case that would justify the rates requested by plaintiff. However, the Court has observed that police misconduct cases are very difficult for plaintiffs to win and require significant trial skill and expertise of lawyers. Indeed, the Supreme Court has compared the complexity of civil rights litigation to antitrust litigation. *Hensley*, 461 U.S. at 430 n.4. In addition to the normal difficulties of proving a police misconduct case, this particular case required knowledge of complex medical matters to demonstrate the excessiveness of the physical force used by defendant.

Plaintiff has requested a rate of \$500 per hour for Robert Bennett. Bennett is a highly qualified trial attorney with 30 years of experience. Bennett’s actual realization rate over the past several years well exceeds \$500 per hour and his current hourly billing rate is \$500 per hour. Defendant points out that Bennett’s rate was \$350 per hour in 2002. However, the current rate is the appropriate rate to apply. *See Missouri v. Jenkins*, 491 U.S. 274, 283 (1989). The reasonableness of the rates requested for Bennett and the other attorneys on the case is supported by affidavits submitted by Brian B. O’Neill and Mark J. Briol. These affidavits discuss reasonable hourly rates for attorneys in the local legal community. O’Neill and Briol are experienced trial lawyers who are well-qualified to opine on the reasonableness of attorneys’ fees in this jurisdiction. The Court finds that the hourly rates requested for Bennett and the other attorneys are reasonable.

B. Number of Hours Reasonably Expended

An award of attorneys' fees must be based on hours that were "reasonably expended." *Hensley*, 461 U.S. at 434. "Counsel for the prevailing party should make a good-faith effort to exclude from a fee request hours that are excessive, redundant, or otherwise unnecessary, just as a lawyer in private practice ethically is obligated to exclude such hours from his fee submission." *Id.*

Defendant criticizes plaintiff for failing to exclude from the request any of the hours included in the time records. Defendant submitted an affidavit of James P. Schratz that audits the fee request, and argues that the hours expended should be reduced as indicated in the auditor's report.

The auditor for defendant found that plaintiff's case was overstaffed in the sense that at least two attorneys appeared at the depositions, court hearings, and the trial itself. Bennett handled the depositions but an associate attorney, Ryan O. Vettleson, also attended every deposition. Plaintiff explains that Vettleson was the only attorney on the case that was intimately familiar with the documentary discovery. Because Bennett did not take time to review those materials, Bennett depended on Vettleson to interject during the depositions if the need arose. As for Vettleson's presence at trial, plaintiff explains that Vettleson provided organizational and technical support and offered lines of additional inquiry. He also helped with witness management. Plaintiff also explained that Vettleson's presence at the mediated settlement conferences was necessary because of the relationship that Vettleson had developed with the plaintiff during the course of the litigation. The Court finds no reason to disallow hours for Vettleson expended on these activities.

The auditor also found that there was “excessive conferencing” in this case because it amounted to seven percent of the total fee requested. The Court cannot conclude that conferencing was excessive given the percentage of time spent on conferencing here. Plaintiff was successful in her claim, and her success likely depends in large part on the consultation and insight from other attorneys on how to best present this case to the jury.

The auditor proposes a ten percent disallowance on the attorneys’ bills because of the block-billing format. Block billing is the lumping together of daily time entries consisting of two or more task descriptions. While other circuits have warned attorneys against the use of block billing, the Eighth Circuit has no requirement against the use of block billing. While the Court has some concern that block billing may decrease accountability of attorneys in specifically recording their time expended, and the Court would prefer that attorneys avoid the practice, the Court finds that the billing records here are sufficiently specific in this case to communicate what was done and its connection to the case. A disallowance for block billing is unwarranted here.

The auditor also found that plaintiff’s attorneys spent excessive time on medical research. Nearly 120 hours were recorded in connection with collecting, reviewing, and researching plaintiff’s medical history and related issues. The ultimate issue of excessive force in this case depended on resolution of how three injuries suffered by plaintiff occurred. Plaintiff explains that the medical research conducted was directed at understanding the mechanisms of injury. The Court agrees that the attorneys in this case needed this medical knowledge to effectively elicit testimony from their medical experts and to effectively cross-examine defendant’s expert.

Finally, the auditor complains of overbilling for particular work product, such as drafting the complaint, summarizing depositions, and drafting pretrial submissions. Vettleson was the primary target of the auditor's complaints. The Court does not find that the time spent on any of these tasks was excessive, especially given that the attorney with the lowest hourly rate was primarily charged with these time consuming tasks.

In sum, the Court finds that the award for attorneys' fees requested by plaintiff are reasonable. The Court accordingly awards \$307,617.24 in attorneys' fees.

II. COSTS INCURRED

A prevailing party is entitled to her costs as a matter of course under the Federal Rules of Civil Procedure. Fed. R. Civ. P. 54(d)(1). Although Rule 54(d) creates a presumption that prevailing parties are entitled to costs, district courts retain substantial discretion in awarding them. *Bathke v. Casey's Gen. Stores*, 64 F.3d 340, 347 (8th Cir. 1995). Costs include charges for items reasonably charged by attorneys to their clients. *Pinkham v. Camex, Inc.*, 84 F.3d 292, 295 (8th Cir. 1996). Defendant does not specifically dispute the costs requested by plaintiff in his opposition to the motion, but the auditor for defendant proposed disallowing several costs.

The Court finds the costs claimed by plaintiff to be largely reasonable, but some reductions are necessary. To begin, the costs for computerized legal research are factored into the attorneys' hourly rates and are not taxable. *Standley v. Chilhowee R-IV Sch. Dist.*, 5 F.3d 319, 325 (8th Cir. 1993). The Court accordingly deducts \$255.29, the total of all computerized legal research charges, from plaintiff's requested costs. The Court also deducts \$140.00 for a celebratory lunch held on November 16, 2006 because

plaintiff concedes that this expense is not taxable. Plaintiff also withdrew her request for an award covering the \$5,000.00 expert fee for Anthony Bouza. Expert fees are not recoverable in a § 1983 action. 42 U.S.C. § 1988(c); *see W. Va. Univ. Hosps. v. Casey*, 499 U.S. 83, 102 (1991).

The auditor found that plaintiff did not adequately document several of the costs, including the costs incurred for taking videos of depositions. Plaintiff in her reply offered additional documentation for the \$2,350.29 cost incurred for the service of a videographer. The Court is persuaded that this expense was necessarily incurred for the litigation because no doctor was able to testify live at trial due to each doctor's busy schedule. The auditor also criticized plaintiff for failing to adequately document or justify costs incurred for copying, messenger services, parking, mileage, meals, and witness fees. These expenses total \$772.58.¹ For example, plaintiff requests \$299.78 for outside copying costs but does not provide the per copy cost. Without more information, the Court cannot assess the reasonableness of the charges. There may well be a satisfactory explanation, but the Court has not heard it. Therefore, the Court will reduce the remaining allowable expenses by 25 percent for failure to carry the burden of proof that the expenses were both reasonable and reasonably incurred in the pursuit of this litigation. *See Rural Water Sys. # 1 v. City of Sioux Ctr.*, 38 F. Supp. 2d 1057, 1068-69 (D. Iowa 1999). This results in an additional deduction of \$193.15.

¹ \$299.78 (copying) + \$129.20 (messenger services) + \$291.95 (parking, mileage, meals) + \$51.65 (witness fee) = \$772.58.

In sum, the Court deducts \$5,588.44 from the original request for costs by plaintiff.² The Court therefore awards plaintiff \$9,988.49 for reasonable costs incurred.³ The total award for attorneys' fees and costs is \$317,605.73.

ORDER

Based on the foregoing, all of the records, files and proceedings herein, **IT IS HEREBY ORDERED** that plaintiff's motion for attorneys' fees and costs [Docket No. 60] is **GRANTED** as follows:

1. Plaintiff's request for attorneys' fees is **GRANTED** in the amount of \$307,617.24.
2. Plaintiff's request for costs is **GRANTED** in the amount of \$9,988.49.
3. Defendant is hereby **ORDERED** to remit to plaintiff a total amount of \$317,605.73 for attorneys' fees and costs.

DATED: April 24, 2007
at Minneapolis, Minnesota.

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge

² \$255.29 (computerized legal research) + \$140.00 (celebratory lunch) + \$5,000.00 (expert fee) + \$193.15 (inadequate documentation or justification) = \$5588.44.

³ \$15,576.93 (original request for costs) - \$5588.44 (deductions) = \$9,988.50.

EXHIBIT 8

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Benjamin D. Meir,

Plaintiff,

vs.

Case No. 06-190 (ADM/JSM)

ORDER

Jeffrey McCormick, acting in his individual and
official capacity as Chief of the Chatfield Police
Department, and the City of Chatfield,

Defendants.

WHEREAS, the parties, by and through their counsel, stipulated that the following Section 1988 costs, including reasonable attorneys' fees, were awardable by the Court in this matter:

Costs:	\$13,185.89
Fees: (940.4 hours)	<u>\$301,122.50</u>
Total Costs and Fees	\$314,308.39

IT IS HEREBY ORDERED, as a prevailing party and pursuant to 42 U.S.C. §§ 1983 and 1988, that plaintiff is awarded his costs and reasonable attorney's fees in the amount of \$314,308.39 to be paid in accordance with the said stipulation by defendants' insurer.

Dated: September 5, 2007

BY THE COURT:

S/Ann D. Montgomery

The Honorable Ann D. Montgomery
United States District Court Judge